

AGENDA
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS
SEPTEMBER 9, 2019

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Tanya C. Bamford
Candyce Fluehr Chimera
Michael J. Fox
Jeffrey W. McDonnell
Matthew W. Quigg

Lawrence J. Grogan
Township Manager

ACTION MEETING – 7:00 PM

1. Call to Order by Chairman
2. Pledge of Allegiance
3. Public Comment
4. Announcement of Executive Session
5. Consider Approval of Minutes of August 26, 2019 Meeting
6. Acknowledge Receipt - Donation from Breakthru Beverage for Police Department K-9 Unit
7. Consider Authorization to Advertise 2020 Budget Workshop Meetings
8. Consider Certification of 2020 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniformed Employees' Pension Fund
9. Consider Preliminary/Final Subdivision Plan LDS #688 King -510 Bethlehem Pike
10. Consider Award of Contract Phase 7 Ash Tree Forestry Management Program
11. Consider Approval of Cost Sharing Agreement – North Penn School District – Phase 6 and Phase 7 Ash Tree Forestry Management Program
12. Consider Escrow Release #6 LDS #694 – Higher Rocks Partners, L.P. Phase 2
13. Consider Payment of Bills
14. Other Business
15. Adjournment

Future Public Hearings/Meetings:

09-11-2019 @ 6:30pm - CRC Advisory Committee (CRC)
09-11-2019 @ 7:30pm - Park and Recreation Board (CRC)
09-11-2019 @ 7:30pm - Zoning Hearing Board
09-16-2019 @ 6:00pm – Finance Committee
09-17-2019 @12:30pm – Business Development Partnership

09-18-2019 @ 6:00pm – Sewer Authority
09-18-2019 @ 7:30pm – Shade Tree Commission
09-18-2019 @ 7:30pm – Public Safety Committee
09-19-2019 @ 7:30pm – Planning Commission
09-23-2019 @ 7:00pm – Board of Supervisors

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Public Comment

MEETING DATE: September 9, 2019

ITEM NUMBER: #3

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Michael J. Fox,
Chairman of the Board of Supervisors

BACKGROUND:

The Chairman needs to remind all individual(s) making a comment that they need to identify themselves by name and address for public record.

The Chairman needs to remind the public about the policy of recording devices. The individual(s) needs to request permission to record the meeting from the Chairman and needs to identify themselves, by name and address for public record.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Announcement of Executive Session

MEETING DATE: September 9, 2019

ITEM NUMBER: **#4.**

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Grogan
 Township Manager

BOARD LIAISON: Michael J. Fox,
 Chairman of the Board of Supervisors

BACKGROUND:

Frank Bartle will announce that the Board of Supervisors met in Executive Session and will summarize the matters discussed.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Minutes for August 26, 2019

MEETING DATE: September 9, 2019

ITEM NUMBER: # 5.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gregan
Township Manager



BOARD LIAISON: Michael J. Fox,
Chairman of the Board of Supervisors

BACKGROUND:

Please contact Deb Rivas on Monday, September 9, 2019 before noon with any changes to the minutes.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

None.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

DRAFT

**MINUTES OF MEETING
MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
AUGUST 26, 2019**

At 6:00p.m. Vice-Chairman Candyce Fluehr Chimera called to order the Executive Session. In attendance were Supervisors Tanya C. Bamford and Matthew W. Quigg. Chairman Michael J. Fox and Supervisor Jeffrey W. McDonnell were absent. Also in attendance was Township Manager Lawrence J. Gregan and Township Solicitor Frank Bartle, Esquire.

Vice-Chairman Candyce Fluehr Chimera called the action meeting to order at 7:03 p.m. In attendance were Supervisors Tanya C. Bamford and Matthew W. Quigg. Chairman Michael J. Fox and Jeffrey W. McDonnell were absent. Also in attendance were Township Solicitor Frank Bartle, Esquire, Township Manager Lawrence Gregan, Police Chief Scott Bendig, Director of Fire Services Richard Lesniak, Director of Finance Ami Tarburton, Director of Administration & Human Resources Ann M. Shade, Assistant to the Township Manager Stacy Crandell, Director of Planning and Zoning Bruce Shoupe, Director of Public Works Kevin Costello, Director of Recreation and Community Center Floyd Shaffer, Recording Secretary Deborah A. Rivas and Junior Systems Analyst Wesley Whitaker.

Following the Pledge of Allegiance, Vice-Chairman Candyce Fluehr Chimera called for public comment from the audience and there was none.

Solicitor Frank Bartle, Esquire announced that the Board had met in an executive session prior to this meeting at 6:00 p.m., and discussed several matters. The first item was a potential matter of litigation that is the ongoing Cutler matter. The Board also discussed several matters of litigation which are Zoning Hearing Board matters. These matters are the 309 Nissan at 991 Bethlehem Pike, Montgomeryville Realty Association at 744 Bethlehem Pike & 1227 Vilsmeier Road, Giorno Properties / Fence Guys at 111 Domorah Drive, Montgomery Square / KIR Montgomery at 165 Witchwood Drive and Ocean State Job Lot at 988 Bethlehem Pike. The Board also discussed a Business Tax matter where the Board made a motion to authorize the

Solicitor to sign and attach an entry of judgment to settle a Business Tax lawsuit. Finally, the Board discussed a personnel matter regarding the hiring of the new Township Manager, which is proceeding as contemplated. Mr. Bartle stated that these matters are all legitimate subjects of executive session pursuant to Pennsylvania's Sunshine Law.

Vice Chairman Candyce Fluehr Chimera made a motion to approve the minutes of the August 12, 2019 Board of Supervisors meeting, and Supervisor Tanya Bamford seconded the motion. The minutes of the meeting were unanimously approved as submitted.

Director of Public Works Kevin Costello reported that Montgomery Township wishes to acknowledge the services of Evan Stephens who has tendered his resignation as a Laborer effective Thursday, August 22, 2019. Evan was hired on October 23, 2017 and has been an integral part of the Park Crew for the past two years. Evan will be following a different career path, returning to college in pursuit of a position in the medical field. Resolution #1 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, accepted the resignation of Evan Stephens from his position as a Laborer with Montgomery Township and take this opportunity to thank him for his service during his employment at Montgomery Township.

Township Manager Lawrence J. Gegan reported that Montgomery Township wishes to acknowledge the services of Ami Tarburton who has tendered her resignation as Township Finance Director/Treasurer effective Friday, August 30, 2019. Ami was appointed to her position on March 7, 2016 and has been an integral part of the Management Team of the Township for the past three and a half years. In addition to her many duties, Ami successfully refinanced in 2016 the Township's \$8.5M General Obligation Bonds at a lower interest rate with the same retirement date resulting in an interest savings in the amount of \$1.0M while maintaining the Township's coveted AAA S & P Bond Rating. In addition, Ami has been recognized by the Government Finance Officers Association (GFOA) with Certificates of Achievement for Excellence in Financial Reporting for preparation of the Comprehensive Annual Financial

Reports (CAFR's) prepared for Audit years 2015, 2016, 2017 and possibly 2018. Resolution #2 made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, accepted the resignation of Ami Tarburton from her position as Finance Director/Treasurer with Montgomery Township and take this opportunity to thank her for her service during her employment at Montgomery Township.

Assistant to the Township Manager Stacy Crandell announced an annual donation of \$10,000 was being made to the Montgomery County Norristown Public Library. Ms. Crandell introduced Kathy Arnold-Yerger who accepted the donation. Ms. Arnold-Yerger announced that the library would be honoring Township Manager Lawrence J. Gegan on his upcoming retirement by donating a World War II book to the library in his name. She also updated the Board and residents on the current programs offered by the Montgomery County Norristown Public Library and bookmobile and expressed her gratitude for the Board's continuous generous donation.

Assistant to the Township Manager Stacy Crandell announced an annual donation of \$6,000 was being made to the Montgomery Township Historical Society. Ms. Crandell introduced Lisa Knapp Siegel who accepted the donation. Ms. Knapp Siegel expressed her gratitude for the Board's generous donation and gave examples of how this donation would be used to continue the work in preserving the Knapp Farmhouse and its historical contents.

Assistant to the Township Manager Stacy Crandell reported that the Delaware Valley Regional Planning Commission (DVRPC) has assembled a multiphase Regional Streetlight Procurement Program (RSLPP) in order to assist municipalities to design, procure, and finance the transition of their street lighting systems to LED Technology. Ms. Crandell reported that the first phase of this program was a Feasibility Study prepared by Keystone Lighting Solutions (KLS), which identified potential savings from participating in the Street LED Light Upgrade. The second phase of the process was the Project Development, which involved the preparation of a detailed investment grade audit and design and analysis of potential lighting solutions for a

review with the Board of Supervisors. Michael Fuller from Keystone Lighting was present to discuss the findings of the audit and the options for upgrading the street lighting in the Township. Mr. Fuller presented the audit results and discussed at length several options available to the Board. The options included 1) Option #1: Replacement of Cobrahead Lights with financing (\$46,317); Option #2: Replacement of Cobrahead Lights without financing (\$35,679); Option #3: Replacement of Cobrahead and Decorative Lights with financing (\$758,665); and Option #4: Replacement of Cobrahead and Decorative Lights without financing (\$601,881). After considerable discussion about the pros and cons of each option and the savings involved over time, the Board agreed to table the action on this matter until a full Board was present. Township Manager Lawrence J. Grogan reminded the Board that staff will need direction on financing vs. not financing this project. At a minimum, it was recommended that we consider replacing the Cobrahead lights as it is a safety issue for our Public Works crews to be replacing these lights which require the use of the bucket truck and a police escort to complete the replacement. Supervisor Bamford inquired why the Township might consider financing if we have the money available in our capital reserve fund. Mr. Grogan responded that for example instead of taking \$700,000 from the current funds, the Township could finance that amount and payout the balance over a 25 year period, spreading out the finances over that time.

Assistant to the Township Manager Stacy Crandell reported that bids were received and opened on August 13, 2019 for the Leaf and Yard Waste Collection. The bid specifications authorize the Board to award either a one, two or three year contract. Staff is recommending a one year contract at this time and the low bidder for one year is Republic Services. Resolution #3 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, awarded the bid for Leaf and Yard Waste Collection and Disposal Services to Republic Services in the amount of \$24,500 for a one year contract.

Chief of Police J. Scott Bendig reported that the United States Police Canine Association (USPCA) Philadelphia Region 6 is hosting their 2019 Police Dog 1 Regional Field Trials for

police canine teams from Friday, September 27 through Sunday, September 29, 2019 at the James T. Vaughn Correctional Center in Smyrna, Delaware. The Police Dog 1 field trial is the proficiency standard used by the USPCA for police canines. Canine teams are evaluated in the areas of obedience, evidence detection, agility, suspect search, criminal apprehension, and handler protection. It is being recommended that Sergeant Hart, Officer Rose, Officer Schreiber, and Officer McGuigan be authorized to attend this certification/training. The cost for the trials is approximately \$600.00 for all four officers, to include registration and accommodations. Funding for this training is available in the 2019 Approved Final Budget – Police Meetings and Conferences. Resolution #4 made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford and adopted unanimously, approved the request for the 2019 Police Dog 1 Regional Field Trials participation.

Director of Planning and Zoning Bruce Shoupe reported that an application has been received requesting a liquor license transfer for Assi Market at 1222 Welsh Road, Assi Plaza Shopping Center. This is an intermunicipal transfer of a liquor license and it is a requirement that a public hearing be held on this application within 45 days upon receipt of by September 27, 2019, unless the applicant agrees to an extension of the time limit. Resolution #5 made by Supervisor Tanya C. Bamford, seconded by Supervisor Matthew W. Quigg and adopted unanimously, set Monday, September 23, 2019, after 7:00 p.m., in the Township Building, as the date, time and place for a Public Hearing for an Intermunicipal Liquor License for Assi Market located at 1222 Welsh Road, Assi Plaza Shopping Center.

A motion to approve the payment of bills was made by Vice Chairman Candyce Fluehr Chimera, seconded by Supervisor Tanya C. Bamford, and adopted unanimously, approving the payment of bills as submitted.

Under other business, Vice Chairman Candyce Fluehr Chimera moved that the Township authorize the Solicitor to enter his appearance for the Township in opposition to the Giorno Properties / Fence Guys application for the property located at 111 Domorah Drive. The

Township is opposed to the variance by ustoppel and the appeal of the determination of the Zoning Officer. Supervisor Tanya C. Bamford seconded the motion, which passed unanimously.

There being no further business to come before the Board, the meeting adjourned at 8:10 p.m.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Recognize Donation from Breakthru Beverage to the Police Department's Canine Unit

MEETING DATE: September 9, 2019 ITEM NUMBER: #6.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Policy: Discussion: Information:

INITIATED BY: J. Scott Bendig
Chief of Police



BOARD LIAISON: Michael J. Fox
Chairman, Board of Supervisors

BACKGROUND:

The employees of Breakthru Beverage, a leading North American beverage wholesaler located at 129 Hartman Road, recently inquired about donating funds and equipment for the Police Department's Canine Unit as a way of contributing to our community. Todd Hickmann, Vice President of Sales for Breakthru Beverages, is here this evening to make a presentation on behalf of the company's employees.

Funding received from this donation will be utilized to establish an account used to pay for routine medical care for police canines once they are retired from the department.

ZONING, SUBDIVISION, OR LAND DEVELOPMENT IMPACT:None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None

RECOMMENDATION: It is recommended that the Board of Supervisors recognize the employees of Breakthru Beverage for their donation.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we recognize the employees of Breakthru Beverage for their generous donation to the Police Department's Canine Unit.

MOTION: _____ SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Authorization to Advertise 2020 Budget Workshop Meetings

MEETING DATE: September 9, 2019

ITEM NUMBER: # 7.

MEETING/AGENDA:

ACTION

NONE

REASON FOR CONSIDERATION: Operational: xx Policy: Discussion: Information:

INITIATED BY: Lawrence J. Gregan
Township Manager

BOARD LIAISON: Michael J. Fox, -Chairman
Board of Supervisors

BACKGROUND:

Each year, the Board of Supervisors and the Township staff participate in budget workshops. The workshops are held in the Board Conference Room, starting at 6:30 p.m. and normally run until approximately 8:30 p.m. It is anticipated that we will need four (4) dates from the list below to complete this process. The following dates are available for workshop meetings:

Wednesday, October 16, 2019
Tuesday, October 22, 2019
Tuesday, October 29, 2019
Monday, November 4, 2019
Wednesday, November 6, 2019

We are scheduled for the Board to consider preliminary adoption of the 2020 budget on Monday, November 11, 2019 after 7:00 p.m. After preliminary adoption, the Township is required to place the budget on display for public view and comment for a period of no less than 20 days. After that period has passed, the Board considers final adoption. We are scheduled to consider final adoption on Monday, December 16, 2019 after 7:00 p.m.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

Ensure compliance with all requirements of the Second Class Township Code for the Budget of a Township.

RECOMMENDATION:

Staff recommends that the Board adopt the 2020 Budget Workshop schedule, as presented.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township Manager to advertise for public meetings for the proposed 2020 Budget Workshops to be held on:

Wednesday, October 16, 2019
Tuesday, October 22, 2019
Tuesday, October 29, 2019
Monday, November 4, 2019
Wednesday, November 6, 2019

MOTION: _____

SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Certification of 2020 Minimum Municipal Obligation (MMO) for the Police Pension Fund and Non-Uniformed Employees' Pension Fund

MEETING DATE: September 9, 2019


ITEM NUMBER: #8.

MEETING/AGENDA: WORK SESSION

ACTION XX

NONE

REASON FOR CONSIDERATION: Operational: xx Policy: Discussion: Information:

INITIATED BY: Lawrence J. Grogan
Township Manager 

BOARD LIAISON: Jeffrey McDonnell, Supervisor
Liaison – Pension Committee

BACKGROUND:

The Minimum Municipal Obligation (MMO) is the calculated funding obligation to the Township's Police and Non-Uniformed Employee Pension Plans. Act 205, Section 304 requires that the Chief Administrative Officer submit the MMO for the upcoming budget year to the Board on or before the last business day in September. Upon acceptance, the amount of the MMO's must be incorporated into the budget for the next year and funded. Based on the instructions from Ashley Wise, Conrad Siegel Actuaries, staff has prepared the 2020 MMO's for both the Police Pension Plan and the Non-Uniformed Pension Plan which are attached hereto.

The MMO calculated for the Police Pension Plan in 2020, based on the 1-1-2019 Actuarial Valuation Report, is as follows:

State Aid (Estimated-Based on 2018 state aid)	\$328,000
Township Contribution	<u>+\$481,367</u>
MMO	\$809,367

The calculation of the Police Pension Plan MMO is based on the "Normal Cost Percentage" + the "Administrative Expense Percentage" multiplied by the estimated 2020 Total Gross Payroll (which excludes payroll for any officer in DROP), plus the amortized "Unfunded Contribution Requirement" costs as determined in the 2019 Actuarial Valuation Report. Member Contributions of 5% of salary are subtracted from this total to determine the Minimum Municipal Obligation for the Township. The 2020 MMO for the Police Pension Plan is a 5% decrease from 2019.

The MMO calculation for the Non-Uniformed Plan in 2020 is as follows:

State Aid (Estimated-Based on 2018 state aid)	\$ 252,000
Township Contribution	<u>+ 51,792</u>
MMO	\$ 303,792

The Non-Uniformed Employee Pension Plan MMO is based on the estimated 2020 covered payroll for the 63 employees participating in the plan multiplied by the Township's 8% contribution. Employee contributions to the plan are 4% of wages. The 2020 MMO for the Non-Uniformed Employee Pension Plan is an estimate of the required contribution. The actual contribution will depend on the actual 2020 covered payroll.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

The 2020 MMO's will be factored into the 2020 Budget.

RECOMMENDATION:

Consider approval of the Resolutions accepting the MMO calculations for 2020.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that the 2020 Minimum Municipal Obligation for the Montgomery Township Police Pension Fund in the amount of \$809,367 is accepted, and

BE IT FURTHER RESOLVED by the Board of Supervisors of Montgomery Township that the 2020 Minimum Municipal Obligation for the Montgomery Township Non-Uniformed Employees' Pension Fund in the amount of \$303,792 is accepted.

MOTION: _____ SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Montgomery Township Police Pension Plan
2020 Minimum Municipal Obligation

1 Normal Cost Percentage'		13.80%
2 Administrative Expense Percentage		<u>1.20%</u>
3 Total Percentage (1 + 2)		15.00%
4 Estimated 2019 Total Gross W-2 Payroll	\$	<u>4,087,311.00</u>
5 Annual Cost (3 x 4)	\$	613,100.00
6 Amortization Contribution Requirement	\$	<u>400,633.00</u>
7 Financial Requirements (5 + 6)	\$	1,013,733.00
8 Member Contributions Anticipated	\$	204,366.00
9 10% of Negative Unfunded Liability '		<u>\$0</u>
10 Minimum Municipal Obligation (7 - 8 - 9) (Due Before 12-31-2019)	\$	<u><u>809,367.00</u></u>

Authorized Signature

Date

1 Based upon 1/1/2017 Actuarial Valuation

Montgomery Township Non-Uniformed Pension Plan
2020 Minimum Municipal Obligation

1 Employer Contribution Percentage	8.00%
2 Administrative Expense Percentage	<u>0.00%</u>
3 Total Percentage (1 + 2)	8.00%
4 Estimated 2020 Covered Payroll	<u>\$ 3,797,400.00</u>
5 Financial Requirements (3 x 4)	<u>\$ 303,792.00</u>
6 Advance Employer Contribution	<u>n/a</u>
7 Minimum Municipal Obligation (5 - 6) (Due Before 12-31-2019)	<u><u>\$ 303,792.00</u></u>

Authorized Signature

Date

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consideration – Preliminary/ Final Subdivision Plan – 510 Bethlehem Pike – King –
LDS#688

MEETING DATE:

ITEM NUMBER: #9.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: Information: Discussion: XX Policy:

INITIATED BY: Bruce Shoupe

Director of Planning and Zoning

BOARD LIAISON: Michael J. Fox

Chairman

BACKGROUND:

The property is a vacant 2.11 acre lot within the R-2 Residential Zoning District. It is located at 510 Bethlehem Pike. The lot does not have road frontage, but is accessed from Lenape Drive through an easement over the adjacent developed residential lot. Raymond King, the applicant, proposes a subdivision along with development of three single family detached dwellings. This proposal includes storm water and utility improvements as well as improvements to and extension of the existing access easement to service the proposed lots. The Township staff and consultants have reviewed this plan for compliance with Township Codes. Copies of the review letters are attached.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

The Applicant executed an indefinite extension form, which allows unlimited review time by the Township, unless a notice is received from the Applicant that a decision be rendered within 90 days by the Board of Supervisors.

PREVIOUS BOARD ACTION:

ALTERNATIVES/OPTIONS:

The Board could deny this plan or approve this plan with the conditions as outlined in the attached resolution.

BUDGET IMPACT: None

RECOMMENDATION:

The resolution be adopted by the Board of Supervisors.

MOTION/RESOLUTION:

The Resolution is attached. (The Chairman needs to read only the highlighted portions of the resolution.)

MOTION _____ SECOND _____ VOTE _____

ROLL CALL:

Tanya Bamford	Aye	Opposed	Abstain	Absent
Candyce Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

RESOLUTION

MONTGOMERY TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

A RESOLUTION GRANTING CONDITIONAL PRELIMINARY/FINAL APPROVAL OF THE APPLICATION FOR SUBDIVISION AND LAND DEVELOPMENT FOR 510 BETHLEHEM PIKE, RAYMOND KING, LDS #688.

The Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, hereby resolves to grant conditional, preliminary/final approval of the subdivision and land development application and plan for **510 Bethlehem Pike, Raymond King**, as more fully detailed on the plans listed on Exhibit "A" attached hereto and made part hereof and further conditioned upon the following being satisfied by the Applicant prior to the recording of the final plan:

1. Fulfilling all obligations and requirements of the Gilmore & Associates, Inc. letters dated March 19, 2019, January 30, 2017, June 1, 2016; Boucher & James, Inc. letters dated May 13, 2019, March 15, 2019, January 26, 2017, May 20, 2016 and Memo Valerie L. Liggett dated March 31, 2017, last revised August 21, 2019; Traffic Planning and Design, Inc. letters dated March 19, 2019, January 26, 2017, May 26, 2016; Montgomery County Planning Commission letter dated March 11, 2019 and May 20, 2016; Montgomery Township Planning Commission comments dated May 16, 2019; Zoning Officers review dated May 3, 2019; Montgomery Township Police Department comments dated May 3, 2016; Montgomery Township Fire Marshal review dated March 8, 2019; Kenneth Amey's review letter dated January 26, 2017 and June 5, 2016
2. Entering into a Land Development and Security Agreement and post financial security for all public improvements to the satisfaction of the Township Engineer and Township Solicitor for each phase of this development if required. As used herein, the term "public improvements" shall include, but shall not be limited to, streets, parking areas, drive aisles, curbs, water mains, sanitary sewer pipes, manholes and appurtenances thereto, storm water facilities, rain gardens (best management practice) and appurtenances, grading, erosion and sediment control, lighting, required trees, shrubs and landscape buffering, monuments, pins and sidewalks. The record plan shall indicate phasing if required. Public improvements shall require financial security be posted in the amount of 15% of the total public improvement cost, regardless of whether such public improvements are dedicated to the Township, for a period not less than 18 months after Township Engineer approval. If the end of maintenance period for trees and other plantings ends outside the time period specified in 205-49, the maintenance period shall be extended to comply with this requirement and the appropriate financial security shall be provided to the satisfaction of the Township Solicitor.
3. Paying all outstanding Township Consultant and Solicitor fees related to the project before plans and agreements are recorded.
4. Satisfying all applicable requirements of the Township Codes, Township Municipal Sewer Authority ("MTMSA"), and North Wales Water Authority. A copy of the Authorities' permits and/or agreements from the above must be provided to the Township.

5. The Applicant shall be responsible for obtaining all other Regulatory Authority Permits having jurisdiction over this project.
6. Supplying a copy of the Declaration of Covenants, Restrictions and Easements creating the Homeowner's Association to the Township and its Solicitor for review and approval prior to recording of Project's Plans.
7. Execute the required Storm Water Management Facilities Maintenance and Monitoring Agreement and Landscaping Declaration of Covenants and Restriction for its benefit and its successors and assigns
8. All future development of this parcel shall be subject to new application and approval by the Board of Supervisors.
9. All storm water inlets and outfall structures shall be identified in accordance with the PADEP Municipal Separate Storm Sewer Systems requirements.
10. Building permits will not be accepted for review until all conditions of approval have been complied with and plans and agreements have been recorded. Building permits shall not be issued until the roadway(s) are paved with all-weather pavement and operable fire hydrant(s) have been installed and approved by the Director of Fire Services. All driveways must be paved prior to issuance of a Certificate of Occupancy.
11. The Applicant acknowledges that Section 205-116 of the SALDO provides for the payment of a fee in lieu of the dedication of parkland for park and recreation purposes. The Applicant hereby agrees to accept the provisions of Section 205-116(A) (2) of the SALDO providing for the payment of \$2,000.00 per lot for residential development. This fee must be paid prior to the submission of building permits.
12. Designating a snow easement areas on the Project's Plans at the end of the existing Lenape Drive to the Township Engineer's satisfaction.

BE IT RESOLVED that the following waivers have been requested by the applicant and are granted to the extent that they concur with the recommendation of the consultants:

1. SALDO Section 205-10.D(1)a & 205-17.D – a waiver from providing curbing along the shared driveway. The required cart way width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing curbing along this driveway. Providing curbing will require a storm conveyance system which will result in concentrated piped discharge to the adjacent properties. The proposed shared drive will allow runoff to sheet flow off the pavement onto vegetated areas without concentrating the flow and creating a potential for erosion. *(If the Board requires curb along the access easement; it is recommend that curb be provided along the north side (house side) of the proposed access easement, the crown be removed from the proposed access cart way along units 114 and 119 and that the cross slope of the proposed access direct runoff toward the southern property line. This configuration would eliminate the swale along the access easement and provide a runoff pattern similar to existing conditions (e.g. overland sheet flow to the nearby stream). It is noted that the proposed design includes pipe discharges from the proposed BMPs to the adjacent school district property. The consultants have no objection to this waiver request because the shared access will have very low volumes and will not have significant grades which could cause erosion.)*
(Granted/Denied)

2. SALDO Section 205-10.D(2)a – a waiver from providing a cul-de-sac bulb with curbing. The required cart way width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing the circular bulb of the cul-de-sac and curbing along this driveway. A hammerhead turn around area is provided at the end of the driveway complying with dimensional requirements of the International Fire Code for emergency vehicles. A fire truck turning plan has been provided within the land development plan set confirming that a fire truck has the ability to turn around within the hammerhead area. *(The consultants have no objection to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. The shared driveway (access Easement) is not a public road. The fire truck turnaround is in accordance with the International Fire Code, and the shared driveway only serves five properties.). (Granted/Denied)*
3. SALDO Section 205-10.D(2)b – a waiver from providing a cul-de-sac street for a maximum length of 500 feet. The proposed driveway is approximately 778 feet long, which is required to provide access to the entire tract. The subject property is located more than 500 feet from the intersection of Line Street and Lenape Drive, therefore it would not be physically feasible to provide a shared driveway to this property of less than 500 feet. *(The consultants have no objection to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. There is no objection because traffic volume will be very low, the shared driveway provides access to only five properties and fire hydrants will be provided.). (Granted/Denied)*
4. SALDO Section 205-13.C – a waiver from providing lot frontage along the ultimate right-of-way line of a street. The proposed subdivision will provide frontage along a shared driveway access easement, which is being extended from an existing access easement on the adjacent property. Currently Lenape Drive dead ends at 114 Lenape Drive, and a residential driveway extends from the termination of the public street. This project proposes extending the residential driveway with a 26 foot wide cart way to be used as a shared driveway for access to each of the proposed lots. *(The consultants have no objection to this waiver request provided maintenance of the shared access easement is provided for by a home owner's association or other arrangement to the satisfaction of the Township Solicitor.). (Granted/Denied)*
5. SALDO Section 205-18.A(3)(a) – a waiver from providing a minimum 15" internal diameter storm pipe and minimum 0.5% slope. The project proposes three seepage pits which require smaller 4-inch pipes at 0% slope for internal distribution of water and overflow discharge. Additionally, the proposed outlet pipe for each pit is smaller than 15", which is typical for a small scale residential development. This is typical for an infiltration facility using current design standards. *(The consultants have no objection to this waiver request.). (Granted/Denied)*
6. SALDO Section 205-18.A(6) – a waiver from providing an inlet no smaller than the City No. 1 open mouth inlet with width of mouth of four feet eight inches. The project proposes three seepage pits each with two smaller yard inlets. The proposed yard inlets are smaller in size to be fitting for a residential lot application and are sized to ensure adequate capacity within each inlet. *(The consultants have no objection to this waiver request.). (Granted/Denied)*

7. SALDO Section 205-22.A – a waiver from providing sidewalk along the shared driveway. Sidewalk does not exist within Lenape Drive and this shared driveway is a dead end for pedestrians with no connectivity to surrounding properties. *(The consultants have no objection to this waiver request. The Township should determine if sidewalk is appropriate at this location.) (Granted/Denied)*
8. SALDO Section 205-52.A – a waiver from providing street trees along shared driveway due to spatial constraints there is not enough room in the access easement of the shared driveway to plant trees without being within 10 feet of the proposed utilities. Existing trees are proposed to remain along a portion of this shared driveway which will provide a similar streetscape. *(The consultants have no objection to this waiver request, provided the required shade trees are planted elsewhere in the Township or a fee-in-lieu is provided. An additional 9 street trees are required. (Granted/Denied) 9 Street Trees x \$350.00 = \$3,150*
9. SALDO Section 205-52.B – a waiver to allow reduced buffer plantings due to spatial constraints along the Western perimeter, and to allow reduced planting requirements due to spatial constraints, presence of utility and access easements, and presence of existing buffer vegetation south of the southern property line. *(The consultants have no objection to this waiver request, provided the required shade trees are planted elsewhere in the Township or a fee-in-lieu is provided. An additional 3 shade trees are required. (Granted/Denied) 3 Shade Trees x \$350.00 = \$1,050.*
10. SALDO Section Table 2 – a waiver from providing a screen buffer between the residential use and institutional school use due to spatial constraints along the southern perimeter. There are existing utility easements as well as proposed utility and access easements that occupy the entire required buffer area. Additionally, there is existing buffer vegetation immediately adjacent to this property line. *(The consultants have no objection to this waiver request, provided the required evergreen trees are planted elsewhere in the Township or a fee-in-lieu is provided. The southern screen buffer is deficient by 55 evergreen trees. (Granted/Denied) 55 Evergreen Trees x \$350 = \$19,250*
11. SALDO Section 205-52.C(3)(d) – a waiver to allow breaks in the proposed screen plantings to allow for drainage and utility crossings. There are several existing trees that are proposed to remain within the required screen buffer area which help to supplement the plantings in this area. Additionally, there is a berm proposed along the northern property boundary with the cemetery to provide additional buffering in addition to plantings. This berm has breaks to allow for drainage to flow across the property. Additionally, there are utility services that cross the property boundaries which require a break in plantings to provide a 10 foot separation from utilities. *(The consultants have no objection to this waiver request) (Granted/Denied)*
12. SALDO Section 205-52-C(4)(c) – a waiver to provide less planting than required for the screen buffers along the northern, western and eastern property lines due to spatial constraints within these areas, including existing trees to be preserved and proposed utilities and storm water management facilities. *(The consultants have no objection to this waiver request, provided the required evergreen trees are planted elsewhere in the Township or a fee-in-lieu is provided. An additional 12 evergreen trees are required. (Granted/Denied) 12 Evergreen Trees x \$350.00 = \$4,200.00)*

13. SALDO Section 205-53.B – a waiver from providing a tree protection zone with fencing within $\frac{1}{4}$ of the dripline of existing trees to remain. A portion of the existing trees to remain have disturbance proposed closer than the dripline of the trees. Tree protection fencing will be provided for all trees to remain but some trees will have a tree protection fence located just outside the trunk of the tree. Care will be taken during construction to protect all existing trees to remain. (**The consultants do not support this waiver request.** *The plans should be revised to demonstrate appropriate protection for the trees to be disturbed (in accordance with the requirements of SALDO Section 205-53 Preservation and protection of existing trees) or the trees should be removed and replaced in accordance with ordinance reforestation requirements.*) (Granted/Denied)
14. SALDO Section 205-53.C –a waiver from including previously removed trees from the calculation of tree preservation and tree replacement requirements. The Applicant obtained a demolition permit for tree removal. (**The consultants do not support this waiver request.** *Only trees whose removal was necessary in order to demolish the house were considered to be part of that demolition permit. Trees over 8" DBH were removed from almost the entire site. The plans should be revised to provide tree replacement calculations including all trees removed from the site in excess of the removal permitted by the demolition permit.*) (Granted/Denied) **114 Replacement Trees x \$350.00 = \$39,900**
15. SALDO Section 205-78.B.(1) – a partial waiver from providing existing property lines, railroads, names of owners, watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. Survey information is provided within 50 feet of the property boundaries. A partial waiver is being requested for the additional 350 feet beyond the survey information. An aerial map is provided which provides general information within the 400 foot overlap from the property boundaries. The proposed subdivision has no negative impact on surrounding properties, and the disturbance is limited a good distance from property boundaries. (*The consultants have no objection to this waiver request.*) (Granted/Denied)
16. SALDO Section 205-78.C(1)(f) – a partial waiver from providing tentative grades to an existing street or to a point 400 feet beyond the subdivision boundary. Survey information is provided within 50 feet of the property boundaries and to the end of Lenape Drive. A partial waiver is being requested for the additional 350 feet beyond the survey information. A site location map is provided on the Cover Sheet which includes a USGS map with topography within the required overlap area. (*The consultants have no objection to this waiver request.*) (Granted/Denied)
17. Chapter A237-1 – The Applicant is requesting a waiver from providing street lighting along the private shared driveway. Street lighting does not exist along Lenape Drive in either direction of the project site frontage. (*The consultants have no objection to this waiver request.*) (Granted/Denied)

This Resolution shall become effective on the date upon which all of the above stated conditions are accepted by the Applicant in writing. If, for any reason, the Applicant fails to acknowledge the acceptance of the conditions contained in this Resolution within ten (10) days from the date of this Resolution, then the Final Plan approval granted herein shall become null and void, the waivers requested shall be deemed denied, and the plan shall be denied for failure to comply with Sections of the Township Zoning Ordinance and/or Township Subdivision and Land Development Ordinance for the reasons cited herein or as set forth in the letters referenced herein.

DULY PRESENTED AND ADOPTED by the Board of Supervisors of Montgomery Township, Montgomery County, Pennsylvania, at a public meeting held this day of September, 2019.

MOTION BY:

SECOND BY:

VOTE:

The above conditions are agreed to by the applicant this _____ day of September, 2019.

Applicant Signature

Applicant Print Name

EXHIBIT "A"

PLANS

<u>DESCRIPTION</u>	<u>ORIGINAL DATE</u>	<u>REVISED DATE</u>
1. Cover Sheet	4/20/16	11/15/16
2. Existing Conditions and Demolition Plan	4/20/16	11/15/16
3. Record Subdivision Plan	4/20/16	11/15/16
4. Record Site Plan	4/20/16	11/15/16
5. Site Details	4/20/16	11/15/16
6. Grading and Utility Plan	4/20/16	11/15/16
7. Utility Construction Details	4/20/16	11/15/16
8. Driveway and Utility Profiles Plan	4/20/16	11/15/16
9. Erosion and Sediment Pollution Control Plan	4/20/16	11/15/16
10. Erosion and Sediment Pollution Control Details	4/20/16	11/15/16
11. Post Construction Storm Water Management Plan	4/20/16	11/15/16
12. Landscape Plan	4/20/16	11/15/16
13. Landscape Details	4/20/16	11/15/16

From: Frank Rich <fmr@comcast.net>
Sent: Friday, September 6, 2019 12:14 PM
To: Board of Supervisors; Tanya C. Bamford; Candyce F. Chimera; Michael J. Fox; Jeffrey W. McDonnell; Matthew W. Quigg
Cc: Larry Gregan; Bruce S. Shoupe
Subject: Board Consideration of Kings' Development Plan for 510 Bethlehem Pike

Dear Montgomery Township Board Members,

It is my understanding that Board consideration of the major subdivision and land development plan for 510 Bethlehem Pike is on the agenda for Monday night's meeting of September 9, 2019. In light of the adverse impact plan implementation would have on my property at 114 Lenape Drive, I wanted to reiterate my views on this plan and respectfully ask that they be formally recognized and taken into account as part the decision making process.

My position on the plan and related information—including that pertaining to the township's imposition in 2000 of a 50-foot easement against my property—was previously communicated to you in an email dated May 15, 2019 in advance of a Planning Commission meeting where the plan at issue was discussed. (Ref. May 15, 2019 email addressed to Candyce Fluehr Chimera with other board members and parties copied.)

If implemented, the Kings' plan will adversely impact my property and my home-based business and forever degrade the privacy my lot currently affords. As previously noted, mature trees on my property that have stood for decades and certain landscaping will be destroyed or placed at risk. My personal and business mail delivery and public road access to my home and business will be disrupted, as will my ability to conduct business. Additionally, disruptions to utility services are also possible. The following is a summary of my views and positions:

1. **I cannot and do not support the Kings' plan for the reasons expressed in my email of May 15, 2019.**
2. **I will not oppose a plan (before the township, in court, or otherwise) that is compliant with Montgomery Township's Codes, Ordinances and other requirements.** The February 2019 plan up for consideration is NOT compliant. Among the many deviations, the Kings' plan does not provide for the extension of Lenape Drive. This is in contravention to a condition attached to Montgomery Township's approval of the recorded 2000 lot-line change plan that requires Lenape Drive to be extended in the event of a future subdivision.
3. **The Kings' waiver request associated with SALDO Section 205-53 to exclude the many mature trees they clear cut (in violation of township authority provided under a demolition permit) from the calculation of tree preservation and tree replacement requirements is highly inappropriate for obvious reasons and should be denied.**
4. **With respect to the application of tree replacement requirements associated with trees destroyed on my property upon the approval and implementation of any plan, it is my expectation that the developer will be required to install such replacements or satisfactory equivalents on my property, and not elsewhere in the township.**

Thank you for considering my input on the matter at issue, and thank you for your public service.

--Frank Rich

Larry Gregan

From: Frank M. Rich III, CPA, CFP <frich@anchorfaa.com>
Sent: Wednesday, May 15, 2019 1:47 PM
To: Candyce F. Chimera
Cc: Tanya C. Bamford; Michael J. Fox; Jeffrey W. McDonnell; Matthew W. Quigg; Cliff Stout; Larry Gregan; Bruce S. Shoupe; James P. Dougherty; Judy Stern Goldstein; Valerie Liggett
Subject: Proposed Development of 510 Bethlehem Pike
Attachments: ADDENDUM_Email_Mont_Twp_BOS_Et al_May_15_2019.pdf

Dear Ms. Chimera,

I understand that you are the Board's representative and liaison to our township's Planning Commission and will be in attendance at its meeting tomorrow night. On the agenda is consideration of a major subdivision and land development plan for 510 Bethlehem Pike, a plan that if implemented will adversely impact my neighboring property at 114 Lenape Drive, my business, and my and my daughter's privacy and quality of life. Many mature trees on my property and certain landscaping will be destroyed. My personal and business mail delivery and public road access to and from my home and business will be disrupted, as will my ability to conduct business. Disruptions to utility services are also possible. The plan is expected to come before the Board for approval at a later date.

The purpose for my writing you and copying your fellow Board members and other parties is to reiterate my position and expectations concerning this plan in light of its adverse impact on my property and the extensive litigation and historic fallout that arose from Montgomery Township's imposition in 2000 of an Access Easement ("Easement") against my property that has made this development plan's advancement to this point possible. (Background facts and details associated with the well-publicized dispute and fallout that arose over the imposition of this Easement—including civic efforts that led to the replacement of the 2000 Board and Administration and to other reforms—are attached to this email as an Addendum.)

This Easement arose as a result of imposed regulation of a land purchase for personal use that my Ex-wife and I made from our then-neighbor, a predecessor owner of 510 Bethlehem Pike. The Easement's imposition was spearheaded by one former township supervisor who, at the time, had been in office for over two decades. The Easement on which the developers are relying to provide access to their development rests directly beyond the Lenape Drive terminus and directly in front of my home and business. It has lain dormant and unused for close to 19 years. Divorce and disparate interests between my former spouse and me necessitated my abandoning legal arguments that support disallowance of the use of this Easement for the development plan at issue. As a result, litigation initiated in 2017 by the current owners/developers of 510 Bethlehem Pike against my Ex-wife and me over the Easement was settled late last year.

MY POSITION ON THE DEVELOPMENT PLAN AT ISSUE

I cannot and do not support this plan, with or without waivers. Setting aside the adverse impacts to my real estate, business and privacy, my support of this plan would be akin to supporting corruption and impropriety that allowed a township supervisor in 2000 to use and abuse the power of his office to circumvent well-established federal and state constitutional law, violate my private property rights and hurt my family. It would equate to supporting governmental intrusion into

private affairs and the undermining of private understandings and agreements my Ex-wife and I had with our late neighbor that provided that we (and not unknown third parties who might later acquire 510 Bethlehem Pike) would control whether or not Lenape Drive was ever extended for development.

With the above said, and with the core Easement-related controversy with the developers now settled, I will not oppose a compliant plan. Instead, I will look to the Board, to our township's employees and volunteers and to our contracted consultants to simply do their jobs. Unlike in the early 2000s, I have no current reason to believe this will not occur, and I fully expect the Board to balance the rights and interests of the developers with my rights and interests and those of other township residents and taxpayers.

I have examined the waivers being requested by the developers and the related response comments received from our township's contracted consultants and have reviewed both with my engineer. I am particularly troubled by the developers' request for a waiver associated with SALDO Section 205-53 to exclude many mature trees they clear cut in violation of authority provided under a demolition permit they received from the calculation of tree preservation and tree replacement requirements. What message would the grant of such a waiver send to the developers in connection with other imposed township requirements associated with important and sensitive work to be done on my property? What message would it send to other developers, or to our contracted consultants whom we charge with the responsibility of reviewing these plans to ensure compliance with township codes and ordinances?

Accordingly, I expect the Planning Commission and Board to follow the recommendation of our township's landscape consultant to enforce compliance here and to deny this waiver request, as well as others that are clearly inappropriate (See Delchester Developers, L.P. v. London Grove Twp. Bd. Supervisors, 161 A.3d 1106 (Pa. Commw. Ct. 2016)). With respect to township tree replacement requirements associated with any trees the developers destroy on my property, I expect the Board to require the developers to install such replacements or satisfactory equivalents on my property and not elsewhere in the township.

I want to thank you for your time and attention to this matter and for your public service. Should you or any other township representative have any questions, please contact me by email or by phone at my office at (215) 997-6800.

--Frank Rich

Frank M. Rich III, CPA, CFP®
President
Anchor Financial & Accounting, P.C.
114 Lenape Drive
Lansdale, PA 19446
(215) 997-6800

ADDENDUM TO MAY 15, 2019 EMAIL COMMUNICATION

BACKGROUND FACTS AND DETAILS ASSOCIATED WITH THE 2000 ACCESS EASEMENT, SUBSEQUENT LITIGATION AND GOVERNMENTAL REFORM EFFORTS

1. In June 2000, my Ex-wife and I entered into an Agreement for the Sale of Vacant Land with our then-neighbor to purchase approximately 1 ½ acres of land (part of her existing lot) for our family's personal use and enjoyment. Negotiations were initiated by our neighbor who insisted on extending favorable terms with the full knowledge and consent of her adult daughter. These favorable terms included her willingness to sell and cede control of land she owned that rested beyond the Lenape Drive terminus and directly in front of our home and my business. Among the reasons favorable terms were extended to us was our mutual appreciation for the natural surroundings (e.g., mature trees, natural habitats) that existed on our lands and mutual opposition to seeing development occur on either of our two lots.
2. The resulting private land sale agreement and transaction involved no proposed change in land use or zoning, no additional lots and no construction of any kind. The only proposed change was to the imaginary lot-line or property boundary (i.e., to ownership). Our neighbor's lot would get smaller, ours larger. Consistent with private party intent, the land sale agreement contained no provision for an easement for the benefit of our neighbor or her successors, and at all relevant times our neighbor never wanted or asked for an easement, nor did she need an easement for public road access.
3. The land sale agreement contained provisions that conditioned settlement of the transaction on receiving any required approvals. Inquiry was made by me personally of township personnel at the time as to what would be required. Requirements were imposed by the township and an application for sub-division and land development required and subsequently completed and submitted, along with our one-page lot-line change plan prepared by our engineer, our payment of a \$1,575 review-related expense escrow and a copy of our land sale agreement.
4. The first lot-line change plan we submitted to Montgomery Township reflected no easement for the benefit of our neighbor and land seller, consistent with the intent of the parties and the private land sale agreement. **This initial plan complied with all township zoning and other requirements.**
5. Our most senior supervisor at the time who had been in power some 20+ years ("Kuhn") dominated our Board and took an active interest in our land purchase transaction.
6. **A knowingly false contention that our neighbor had no public road access to Bethlehem Pike was advanced in writing by a township consultant during his review of our initial plan and used by Kuhn to spearhead an effort to compel an easement against us, in contravention to the private agreements and understandings we had with our neighbor and despite our initial plan's full compliance with township codes and ordinances.**
7. For over six decades and in fact for centuries, our neighbor and all predecessor owners of 510 Bethlehem Pike had public road access to Bethlehem Pike (Route 309) by way of private roads (depicted on public maps) or by way of an Easement by Implication over and through land now or formerly owned by the Montgomery Baptist Church. Bethlehem Pike was always the only practical means of public road access for our neighbor's residence and lot and this access was clearly identified on the initial lot-line change plan we submitted to Montgomery Township.

8. All efforts and offers to address Kuhn's purported access-related concerns (short of encumbering our land with an unnecessary easement) fell on deaf ears, and it became apparent that we were not going to secure the approval needed to settle unless and until we capitulated to Kuhn's wishes. Accordingly, I advised my engineer to revise our lot-line change plan to reflect a substantial (25-foot by 374-foot) easement burden for access to Lenape Drive for the benefit of our neighbor and land seller.
9. This first-revised plan reflecting this unnecessary 25-foot easement was unanimously approved by our Planning Commission on September 7, 2000, while Kuhn sat silently in the back of the meeting room, offering no comment, even when asked for his feedback.
10. On the evening of September 11, 2000 at approximately 11:15 pm, more than three hours into a public meeting of our Board of Supervisors, our revised lot-line change plan containing the 25-foot easement finally came up for discussion and a vote. Kuhn took immediate control of the discussion and began to openly question the sufficiency of the 25-foot easement as other Board members remained curiously silent. I verbally re-asserted objections that had been previously conveyed to the township in writing. Once again, reason fell on deaf township ears, and it became readily apparent that our more-than-compliant plan containing an unnecessary easement unanimously approved by our Planning Commission was about to be tabled for discussion and Board approval inappropriately withheld. Fearing our land purchase under favorable terms was at risk of substantial delay or worse pursuant to what I thought could be an expensive and time consuming appeal, I once again was made to capitulate to Kuhn's personal preference for a 50-foot by 374-foot easement burden against our property.
11. The plan was then conditionally approved by Kuhn and the Board. A second revised plan (third in total) reflective of a 50-foot easement subsequently prepared and submitted, triggering a third round of plan reviews, the expense for which caused our escrow to fall into a deficit position in the amount of approximately \$900. The easement agreement was delivered to our solicitor, and materials affirming approval of our second-revised plan were not released to us until after thirty (30) days following the September 11, 2000 Board meeting. 53 P.S. § 11002-A requires that appeals from all "land use" decisions be taken within 30 days.
12. We were then billed for the \$900 escrow deficit. I refused to pay on multiple grounds, recommended to township parties that the nominal amount be written off and expressed my intent (should we be sued by Montgomery Township) to pursue claims and counterclaims that at the time I had not researched but believed existed and could be legally advanced and sustained.
13. Had the \$900 been written off, the dispute and acrimony over what was done to us in 2000 would likely have died on the vine. Instead, Mr. Kuhn spearheaded another effort; this one an aggressive, spare-no-expense, taxpayer-funded pursuit against my Ex-wife and me for \$900, a pursuit that would ultimately waste an estimated \$100,000 of taxpayer money before the township led by Kuhn abandoned its claim with its filing on January 4, 2007 of its Praecipe to Discontinue and End. Kuhn's tenacious pursuit of this \$900 triggered extensive legal research on my part that revealed significant support for our claims and counterclaims and that resulted in years of protracted litigation. His pursuit also motivated me to take a very active, very public and very detailed interest in how he and other of our township's elected officials and public employees conducted themselves on matters impacting the public and in how well our local press reported our local news and held public officials accountable.

14. It became clear to me after carefully examining the quality of local news reporting in our area that our local press and its substandard reporting was responsible for what I and others concluded was a corrupt Board and Administration. With some help, and armed with a basic knowledge of law and the First Amendment, I installed Montgomery Township's first-ever citizen-driven government watchdog website, the cornerstone of which was transparency ("sunlight") and investigative reporting on the actions, conduct and decisions of our township's officials and employees.
15. Media exposure of the ongoing legal battle and our low-budget township watch website by *The Reporter*, *Intelligencer* and *Philadelphia Inquirer* newspapers increased public interest and support and inspired similar efforts in Warrington and Doylestown townships on the part of sitting supervisors. Among the many stories we broke and publicly reported on that the local press ignored were those involving gross wastes of taxpayer money, public safety concerns, secret dealings and abuses of power. One such story involved our former township manager who tendered false written statements to police in an effort to wrongly incriminate his neighbor of a felony and who advocated for this citizen's wrongful imprisonment.
16. The public exposure on our website of facts and details associated with official conduct was instrumental in bringing an end to Mr. Kuhn's reign as Montgomery Township's self-appointed King. It also contributed to the replacement of the balance of the Board and Administration and helped usher in of a number of long overdue governmental reforms (e.g., increased transparency, televised township meetings).
17. The United States Supreme Court has ruled that the imposition of an access easement that serves no legitimate public purpose cannot be treated as a land use regulation power. Nollan v. California Coastal Commission, 483 U.S. 825, 107 S.Ct. 3141 (1987). What was done to my Ex-wife and me and to our family in 2000 by a rogue township supervisor was inexcusable and far worse than the matter described in the Nollan case. Still, the words of the late Justice Antonin Scalia in Nollan profoundly apply. Writing for the majority and with reference to prior decisions, Scalia likened the conditioning of the grant of Nollan's rebuilding permit on their giving an access easement across their property to "**an out-and-out plan of extortion**," further noting, "**We have repeatedly held that, as to property reserved by its owner for private use, 'the right to exclude [others is] one of the most essential sticks in the bundle of rights that are commonly characterized as property.'**" (citations omitted) (emphasis added).
18. A proposed change to the ownership of private property between United States citizens is not remotely related to any legitimate land use matter, nor does it warrant regulation and the exercise of police power to compel an easement against one citizen in favor of another. A violation of 42 U.S.C. § 1983 is a serious crime, to which a 30-day statute of limitations is wholly inapplicable. Nevertheless, despite well-settled federal and state law supportive of our constitutional claims, the lower county court in an October 2003 decision immersed in politics and political influence ruled our claims to be untimely and the 30-day appeal period (set forth in Section 1002-A of Pennsylvania's Municipalities Planning Code) applicable to the controversy. To date, no determination on the merits of our claims arising from the township's 2000 imposition of the controversial easement spearheaded by Kuhn has ever been adjudicated by any court of competent jurisdiction.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

March 19, 2019

File No. 2016-02060

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Preliminary/Final Subdivision and Land Development – LD/S #688
510 Bethlehem Pike Subdivision and Land Development Plan – Review 3
Tax Parcel #46-00-00445-00-4; Block 004, Unit 009

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below regarding the preliminary/final subdivision and land development plan for the above-referenced project. We offer the following comments for consideration by the Montgomery Township Board of Supervisors.

I. SUBMISSION

- A. Comment Response Letter, prepared by Holmes Cunningham Engineering, dated February 15, 2019.
- B. Waiver Request Letter, prepared by Holmes Cunningham Engineering, dated February 15, 2019.
- C. Major Subdivision and Land Development Plans for 510 Bethlehem Pike Subdivision, prepared by Holmes Cunningham Engineering (13 sheets), dated April 20, 2016, revised February 15, 2019.
- D. Erosion and Sediment Control Plan Narrative for 510 Bethlehem Pike Subdivision, prepared by Holmes Cunningham Engineering, dated April 20, 2016, revised December 21, 2018.
- E. Post Construction Stormwater Management Plan Narrative for 510 Bethlehem Pike Subdivision, prepared by Holmes Cunningham Engineering, dated April 20, 2016, revised December 21, 2018.
- F. Legal Descriptions, prepared by Surveying Services, dated December 26, 2018.

II. GENERAL

The subject property is a vacant 2.11-acre lot within the R-2 Residential Zoning District. The subject lot does not have road frontage but is accessed from Lenape Drive through an easement over the adjacent, developed residential lot. The Applicant, Raymond King, Jr., proposes a subdivision along with development of three single family detached dwellings. The proposal includes stormwater and utility improvements as well as improvements to and extension of the existing access easement to service the proposed lots.

III. REVIEW COMMENTS

A. Zoning Ordinance

Based on our review, the submitted plans appear to meet the Montgomery Township Zoning Ordinance.

B. Waiver Requests

The Applicant is requesting the following waivers from the Montgomery Township Subdivision and Land Development Ordinance (Chapter 205):

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

1. §205-10.D(1)a & §205-17.D – The Applicant is requesting a waiver from providing curbing along the shared driveway. The required cartway width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing curbing along this driveway. Providing curbing will require a storm conveyance system which will result in concentrated piped discharge to the adjacent properties. The proposed shared drive will allow runoff to sheet flow off the pavement onto vegetated areas without concentrating the flow and creating a potential for erosion. We note the proposed design includes pipe discharges from the proposed BMPs to the adjacent school district property.
2. §205-10.D(2)a – The Applicant is requesting a waiver from providing a cul-de-sac bulb with curbing. The required cartway width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing the circular bulb of the cul-de-sac and curbing along this driveway. A hammerhead turn around area is provided at the end of the driveway complying with dimensional requirements of the International Fire Code for emergency vehicles. A fire truck turning plan has been provided within the land development plan set confirming that a fire truck has the ability to turn around within the hammerhead area. We do not object to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. We note that this development will result in four dwellings having access via the proposed easement with the potential for up to three additional units on lot 119 (total of 7 potential dwelling units).
3. §205-10.D(2)b – The Applicant is requesting a waiver from providing a cul-de-sac street for a maximum length of 500 feet. The proposed driveway is approximately 778 feet long, which is required to provide access to the entire tract. The subject property is located more than 500 feet from the intersection of Line Street and Lenape Drive, therefore it would not be physically feasible to provide a shared driveway to this property of less than 500 feet. We do not object to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. We note that this development will result in four dwellings having access via the proposed easement with the potential for up to three additional units on lot 119 (total of 7 potential dwelling units).
4. §205-13.C – The Applicant is requesting a waiver from providing lot frontage along the ultimate right-of-way line of a street. The proposed subdivision will provide frontage along a shared access easement, which is being extended from an existing access easement on the adjacent property. Currently Lenape Drive dead ends at 114 Lenape Drive, and a residential driveway extends from the termination of the street. This project proposes extending the residential driveway with a 26 foot wide cartway to be used as a shared driveway for access to each of the proposed lots. We do not object to this waiver request provided maintenance of the shared access easement is provided for by a home owner's association or other arrangement to the satisfaction of the Township Solicitor.
5. §205-18.A(3)(a) – The Applicant is requesting a waiver from providing a minimum 15 inch internal diameter storm pipe and minimum 0.5% slope. The project proposes three seepage pits which require smaller 4-inch pipes at 0% slope for internal distribution of stormwater and overflow discharge. Additionally, the proposed outlet pipe for each pit is smaller than 15", which is typical for a small scale residential development. This is typical for an infiltration facility using current design standards. We do not object to this waiver request.
6. §205-18.A(6) – The Applicant is requesting a waiver from providing an inlet no smaller than the City No. 1 open mouth inlet with width of mouth of four feet eight inches. The project proposes three seepage pits, each with two smaller yard inlets. The proposed yard inlets are smaller in size to be fitting for a residential lot application and are sized to ensure adequate capacity within each inlet. We do not object to this waiver request.
7. §205-22.A – The Applicant is requesting a waiver from providing sidewalk along the shared driveway. Sidewalk does not exist within Lenape Drive and this shared driveway is a dead end for pedestrians with no connectivity to surrounding properties. We do not object to this waiver request. The Township should determine if sidewalk is appropriate at this location.
8. §205-52.A – The Applicant is requesting a waiver from providing street trees along the shared driveway. Due to spatial constraints there is not enough room in the access easement of the shared driveway to plant trees without being within 10 feet of proposed utilities. Existing trees are proposed to remain along a portion of this shared driveway which will provide a similar streetscape. We defer recommendation regarding this waiver request to the Township Landscape Consultant.

9. §205-52.B – The Applicant is requesting a waiver to allow reduced buffer plantings along the Western perimeter and reduced planting requirements due to spatial constraints, presence of utility and access easements, and presence of existing buffer vegetation south of the southern property line. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
10. Table 2 – The Applicant is requesting a waiver from providing a screen buffer between the residential use and institutional school use due to spatial constraints along the southern perimeter. There are existing utility easements as well as proposed utility and access easements that occupy the entire required buffer area. Additionally, there is existing buffer vegetation immediately adjacent to this property line. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
11. §205-52.C(3)(d) – The Applicant is requesting a waiver to allow breaks in the proposed screen plantings to allow for drainage and utility crossings. There are several existing trees that are proposed to remain within the required screen buffer area which help to supplement the plantings in this area. Additionally, there is a berm proposed along the northern property boundary with the cemetery to provide additional buffering in addition to plantings. This berm has breaks to allow for drainage to flow across the property. Additionally, there are utility services that cross the property boundaries which require a break in plantings to provide a 10 foot separation from utilities. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
12. §205-52.C(4)(c) – The Applicant is requesting a waiver to provide less planting than required for the screen buffers along the northern, western and eastern property lines due to spatial constraints within these areas, including existing trees to be preserved and proposed utilities and stormwater management facilities. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
13. §205-53.B – The Applicant is requesting a waiver from providing a tree protection zone with fencing within ¼ of the dripline of existing trees to remain. A portion of the existing trees to remain have disturbance proposed closer than the dripline of the trees. Tree protection fencing will be provided for all trees to remain but some trees will have a tree protection fence located just outside the trunk of the tree. Care will be taken during construction to protect all existing trees to remain. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
14. §205-53.C – The Applicant is requesting a waiver from including previously removed trees from the calculation of tree preservation and tree replacement requirements. The Applicant obtained a demolition permit for tree removal. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
15. §205-78.B.(1) – The Applicant is requesting a partial waiver from providing existing property lines, railroads, names of owners, watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. Survey information is provided within 50 feet of the property boundaries. A partial waiver is being requested for the additional 350 feet beyond the survey information. An aerial map is provided which provides general information within the 400 foot overlap from the property boundaries. The proposed subdivision has no negative impact on surrounding properties, and the disturbance is limited a good distance from property boundaries. We do not object to this waiver request.
16. §205-78.C(1)(f) – The Applicant is requesting a partial waiver from providing tentative grades to an existing street or to a point 400 feet beyond the subdivision boundary. Survey information is provided within 50 feet of the property boundaries and to the end of Lenape Drive. A partial waiver is being requested for the additional 350 feet beyond the survey information. A site location map is provided on the Cover Sheet which includes a USGS map with topography within the required overlap area. We do not object to this waiver request.

The Applicant is requesting the following waiver from the Montgomery Township Streetlight Specification (Chapter A237):

17. §A237-1 – The applicant is requesting a waiver from providing street lighting along the private driveway. We defer recommendation regarding this waiver request to the Township Lighting Consultant.

C. Subdivision and Land Development Ordinance

Based on our review, the following items do not appear to comply with the Montgomery Township Subdivision and Land Development Ordinance (Chapter 205). Upon further development of the plans, additional items may become apparent.

1. §205-19 & 20 – Documentation of public service from the water and sewer authorities shall be provided. The Applicant has agreed that will serve letters will be provided upon receipt.
2. §205-24 – We defer review of all street lighting requirements to the Township Lighting Consultant.
3. §205-48 to §205-63 – We defer review of all landscaping requirements to the Township Landscape Consultant.
4. §205-113 – Park and Recreation Land must be dedicated to the Township unless one of the alternatives set forth in SLDO §205-116 is agreed to by the Township and the applicant. The Applicant has agreed to discuss this matter with the Township.

D. Stormwater Management Ordinance

Based on our review, the following items do not appear to comply with the Montgomery Township Stormwater Management Ordinance. Upon further development of the plans, additional items may become apparent.

1. §206-11.G – Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner from the developer. The outfalls from the proposed seepage beds discharge toward the school district property. The applicant shall notify the school district in writing and provide the Township with a response document from the school district acknowledging and accepting the discharge pattern. The applicant has stated coordination with the school district will occur.
2. §206-23 – All necessary permits should be submitted to the Township prior to final approval.
3. §206-33.A – The stormwater BMP O&M plan, O&M Agreements and any stormwater easements for each lot shall be recorded within 90 days of approval. The Applicant shall coordinate the preparation and recording of these documents with the Township Solicitor.
4. The previous review required that an inlet be provided within the proposed swale along the access easement at the south west corner of Lot 1 to collect runoff within the swale. The inlet appears on the plan, but information (inlet type, grate and invert elevations, pipe material and diameter, etc.) are not shown. This information shall be added to the plans. Details of the tie into the seepage pit shall also be provided. We recommend the inlet in the swale be a PennDOT Type M, a sump be provided for debris collection, and that the connection to the seepage pit be at a structure (yard inlet 1A or another inlet) for inspection and maintenance purposes.
5. We recommend that cleanouts be provided at corners of the seepage pit pipe systems, where inlets are not proposed, and at the roof drain connection for inspection and maintenance purposes.
6. The Seepage Pit Information Table on Sheet 11 of 13 shall be revised with the correct dimensions for Seepage Pit 2 (80×30 rather than 75×30).
7. The information in the Outlet Structure Elevations Table on Sheet 11 and the information presented in the plan views on Sheets 6, 8, and 10 shall be made consistent.
8. The plans shall include the number, length, and spacing of the perforated pipes in the seepage pits.
9. We recommend the detail for the yard inlets (Sheet 11 of 13) be modified to provide weep holes in the base of each inlet.
10. The Outlet Structure Detail on Sheet 11 of 13 should be renamed (Seepage Pit vs Rain Garden).

E. General

1. The Applicant shall obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, MCCD, Township Fire Marshal, and water & sewer authorities, etc.). Copies of these approvals and permits should be submitted to the Township and our office.

2. It is our understanding the applicant's attorney has been in contact with the Township Solicitor regarding the existing access easement across lots 114 and 119. We defer review of this existing easement to the Township Solicitor.
3. The existing driveway at 114 Lenape Dr. may require modification and storm sewer provided if the waiver requesting the access road not be developed as a curbed street is denied and curb is required.
4. The Fire Marshal should review site access to ensure emergency services can be provided.
5. Legal descriptions of each lot and easement were submitted as part of the submission and found to be acceptable.
6. Record Plans:
 - a) Include enough space for notary seals.
 - b) Add signature line for Board of Supervisors Chairperson.
 - c) Include space for MCPC review stamp.
 - d) Include certification and signature of design engineer.

In order to help expedite the review process of the resubmission of the plan, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/SW/sl

cc: Lawrence J. Grogan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Raymond King, Jr. – Applicant
Kristin Holmes, P.E., Holmes Cunningham Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

January 30, 2017

File No. 2016-02060

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Preliminary/Final Subdivision and Land Development – LD/S #688
510 Bethlehem Pike Subdivision and Land Development Plan
Tax Parcel #46-00-00445-00-4; Block 004, Unit 009

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below regarding the preliminary/final subdivision and land development plan for the above-referenced project. We offer the following comments for consideration by the Montgomery Township Board of Supervisors.

I. SUBMISSION

- A. Application for Subdivision and Land Development, prepared by Holmes Cunningham Engineering, dated April 22, 2016, revised November 15, 2016.
- B. Subdivision and Land Development Plans for 510 Bethlehem Pike Subdivision, prepared by Holmes Cunningham Engineering, sheets 1 to 10 of 10, dated April 20, 2016, revised November 15, 2016.
- C. Erosion and Sediment Control Plan, prepared by Holmes Cunningham Engineering, dated April 20, 2016, revised November 15, 2016
- D. Stormwater Management Report, prepared by Holmes Cunningham Engineering, dated April 20, 2016, revised November 15, 2016.

II. GENERAL

The subject property is a vacant 2.11 acre lot within the R-2 Residential Zoning District. The subject lot does not have road frontage but is accessed from Lenape Drive through an easement over the adjacent, developed residential lot. The Applicant, Raymond King, Jr., proposes a subdivision along with development of three single family detached dwellings. The proposal includes stormwater and utility improvements as well as improvements to and extension of the existing access easement to service the proposed lots.

III. REVIEW COMMENTS

A. Zoning Ordinance

Based on our review, the submitted plans appear to meet the Township Zoning Ordinance.

B. Subdivision and Land Development Ordinance

The Applicant is requesting the following waivers:

- 1. §205-10.D(1)a & §205-17.D – The Applicant is requesting a waiver from providing curbing along the shared driveway. The required cartway width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing curbing along this driveway. Providing curbing will require a storm conveyance system which will result in concentrated piped discharge to the adjacent properties. The proposed shared drive will allow runoff to sheet flow off the pavement onto vegetated areas without concentrating the flow and creating a potential for erosion. If the Board requires curb along the access easement, we recommend that curb be provided along the north side (house side) of the proposed access easement, the crown be removed from the proposed access along units 114 and 119

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and that the cross slope of the proposed access direct runoff toward the southern property line. This configuration would eliminate the swale along the access easement and provide a runoff pattern similar to existing conditions (e.g. overland sheet flow to the nearby stream). We note the proposed design includes pipe discharges from the proposed BMPs to the adjacent school district property.

2. §205-10.D(2)a – The Applicant is requesting a waiver from providing a cul-de-sac bulb with curbing. The required cartway width and right-of-way width are provided along the shared driveway, but a waiver is requested from providing the circular bulb of the cul-de-sac and curbing along this driveway. A hammerhead turn around area is provided at the end of the driveway complying with dimensional requirements of the International Fire Code for emergency vehicles. A fire truck turning plan has been provided within the land development plan set confirming that a fire truck has the ability to turn around within the hammerhead area. We do not object to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. We note that this development will result in four dwellings having access via the proposed easement with the potential for up to three additional units on lot 119 (total of 7 potential dwelling units).
3. §205-10.D(2)b – The Applicant is requesting a waiver from providing a cul-de-sac street for a maximum length of 500 feet. The proposed driveway is approximately 778 feet long, which is required to provide access to the entire tract. The subject property is located more than 500 feet from the intersection of Line Street and Lenape Drive, therefore it would not be physically feasible to provide a shared driveway to this property of less than 500 feet. We do not object to this waiver request provided that all issues and requirements regarding emergency access are addressed to the satisfaction of the Township Fire Marshal. We note that this development will result in four dwellings having access via the proposed easement with the potential for up to three additional units on lot 119 (total of 7 potential dwelling units).
4. §205-13.C – The Applicant is requesting a waiver from providing lot frontage along the ultimate right-of-way line of a street. The proposed subdivision will provide frontage along a shared access easement, which is being extended from an existing access easement on the adjacent property. Currently Lenape Drive dead ends at 114 Lenape Drive, and a residential driveway extends from the termination of the street. This project proposes extending the residential driveway with a 26 foot wide cartway to be used as a shared driveway for access to each of the proposed lots. We do not object to this waiver request provided maintenance of the shared access easement is provided for by a home owner's association or other arrangement to the satisfaction of the Township Solicitor.
5. §205-18.A(3)(a) – The Applicant is requesting a waiver from providing a minimum 15" internal diameter storm pipe and minimum 0.5% slope. The project proposes three seepage pits which require smaller 4-inch pipes at 0% slope for internal distribution of water and overflow discharge. Additionally, the proposed outlet pipe for each pit is smaller than 15", which is typical for a small scale residential development. This is typical for an infiltration facility using current design standards. We do not object to this waiver request.
6. §205-18.A(6) – The Applicant is requesting a waiver from providing an inlet no smaller than the City No. 1 open mouth inlet with width of mouth of four feet eight inches. The project proposes three seepage pits, each with two smaller yard inlets. The proposed yard inlets are smaller in size to be fitting for a residential lot application and are sized to ensure adequate capacity within each inlet. We do not object to this waiver request.
7. §205-22.A – The Applicant is requesting a waiver from providing sidewalk along the shared driveway. Sidewalk does not exist within Lenape Drive and this shared driveway is a dead end for pedestrians with no connectivity to surrounding properties. We do not object to this waiver request. The Township should determine if sidewalk is appropriate at this location.
8. §205-52.B – The Applicant is requesting a waiver to allow reduced buffer plantings due to spatial constraints along the Western perimeter, and to allow reduced planting requirements due to spatial constraints, presence of utility and access easements, and presence of existing buffer vegetation south of the southern property line. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
9. §Table 2 – The Applicant is requesting a waiver from providing a screen buffer between the residential use and institutional school use due to spatial constraints along the southern perimeter. There are existing utility easements as well as proposed utility and access easements that occupy the entire required buffer area. Additionally, there is existing buffer vegetation immediately adjacent to this property line. We defer recommendation regarding this waiver request to the Township Landscape Consultant.

10. §205-52.C(3)(d) – The Applicant is requesting a waiver to allow breaks in the proposed screen plantings to allow for drainage and utility crossings. There are several existing trees that are proposed to remain within the required screen buffer area which help to supplement the plantings in this area. Additionally, there is a berm proposed along the northern property boundary with the cemetery to provide additional buffering in addition to plantings. This berm has breaks to allow for drainage to flow across the property. Additionally, there are utility services that cross the property boundaries which require a break in plantings to provide a 10 foot separation from utilities. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
11. §205-52-C(4)(c) – The Applicant is requesting a waiver to provide less planting than required for the screen buffers along the northern, western and eastern property lines due to spatial constraints within these areas, including existing trees to be preserved and proposed utilities and stormwater management facilities. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
12. §205-53.B – The Applicant is requesting a waiver from providing a tree protection zone with fencing within ¼ of the dripline of existing trees to remain. A portion of the existing trees to remain have disturbance proposed closer than the dripline of the trees. Tree protection fencing will be provided for all trees to remain but some trees will have a tree protection fence located just outside the trunk of the tree. Care will be taken during construction to protect all existing trees to remain. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
13. §205-53.C – The Applicant is requesting a waiver from including previously removed trees from the calculation of tree preservation and tree replacement requirements. The Applicant obtained a demolition permit for tree removal. We defer recommendation regarding this waiver request to the Township Landscape Consultant.
14. §205-78.B.(1) – The Applicant is requesting a partial waiver from providing existing property lines, railroads, names of owners, watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided. Survey information is provided within 50 feet of the property boundaries. A partial waiver is being requested for the additional 350 feet beyond the survey information. An aerial map is provided which provides general information within the 400 foot overlap from the property boundaries. The proposed subdivision has no negative impact on surrounding properties, and the disturbance is limited a good distance from property boundaries. We do not object to this waiver request.
15. §205-78.C(1)(f) – The Applicant is requesting a partial waiver from providing tentative grades to an existing street or to a point 400 feet beyond the subdivision boundary. Survey information is provided within 50 feet of the property boundaries and to the end of Lenape Drive. A partial waiver is being requested for the additional 350 feet beyond the survey information. A site location map is provided on the Cover Sheet which includes a USGS map with topography within the required overlap area. We do not object to this waiver request.

Based on our review, the following items do not appear to comply with the Township Subdivision and Land Development Ordinance. Upon further development of the plans, additional items may become apparent.

1. §205-19 & 20 – Documentation of public service from the water and sewer authorities shall be provided. The Applicant has agreed that will serve letters will be provided upon receipt.
2. §205-24 – We defer review of all street lighting requirements to the Township Lighting Consultant.
3. §205-48 - §205-63 – We defer review of all landscaping requirements to the Township Landscape Consultant.
4. §205-113 – Park and Recreation Land must be dedicated to the Township unless one of the alternatives set forth in S.L.D.O. §205-116 is agreed to by the Township and the applicant. The Applicant has agreed to discuss this matter with the Township.

C. Stormwater Management Ordinance

Based on our review, the following items do not appear to comply with the Stormwater Management Ordinance. Upon further development of the plans, additional items may become apparent.

1. §206-11.G – Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner from the developer. The outfalls from the proposed seepage beds discharge toward the school district property. The applicant shall notify the school district.

2. §206-23 – All necessary permits should be submitted to the Township prior to final approval.
3. §206-33.A – The stormwater BMP O&M plan, O&M Agreements and any stormwater easements for each lot shall be recorded within 90 days of approval. The Applicant shall coordinate the preparation and recording of these documents with the Township Solicitor.
4. An additional inlet shall be provide within the proposed swale along the access easement at the south west corner of Lot 1 to collect runoff within the swale as intended by the design.
5. We recommend the crown be removed from the proposed access easement along units 114 and 119 and that the cross slope of the proposed access direct runoff toward the southern property line. This configuration would eliminate the swale along the access easement and provide a runoff pattern similar to existing conditions (e.g. overland sheet flow to the nearby stream).

D. General

1. The Applicant shall obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, MCCD, Township Fire Marshal, and water & sewer authorities, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
2. It is our understanding the applicant's attorney has been in contact with the Township Solicitor regarding the existing access easement across lots 114 and 119. We defer review of this existing easement to the Township Solicitor.
3. The existing driveway at 114 Lenape Dr. may require modification and storm sewer provided if the waiver requesting the access road not be developed as a curbed street is denied and curb is required.
4. The Fire Marshal should review site access to ensure emergency services can be provided.
5. Legal descriptions of each lot and easement shall be provided for review and approval.
6. The proposed contours should be displayed on the post construction stormwater management plan (Sheet 11 of 13).
7. Documentation of any relief granted shall be listed on the record plan along with the date granted and any conditions attached thereto.

In order to help expedite the review process of the resubmission of the plan, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Engineer
Township Engineers

JPD/si

cc: Lawrence J. Gegan, Manager – Montgomery Township
Marita A. Stoerle, Development Coordinator – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Raymond King, Jr. – Applicant
Kristin Holmes, P.E., Holmes Cunningham Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



GILMORE & ASSOCIATES, INC.

ENGINEERING & CONSULTING SERVICES

June 1, 2016

File No. 2016-02060

Bruce S. Shoupe, Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Preliminary/Final Subdivision and Land Development – LD/S #688
510 Bethlehem Pike Subdivision and Land Development Plan
Tax Parcel #46-00-00445-00-4; Block 004, Unit 009

Dear Bruce:

As requested, Gilmore & Associates, Inc. has reviewed the information listed below regarding the preliminary/final subdivision and land development plan for the above-referenced project. We offer the following comments for consideration by the Montgomery Township Board of Supervisors.

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- D. Stormwater Management Report, prepared by Holmes Cunningham Engineering, dated April 20, 2016.

II. GENERAL

The subject property is a vacant 2.11 acre lot within the R-2 Residential Zoning District. The subject lot does not have road frontage but is accessed from Lenape Drive through an easement over the adjacent, developed residential lot. The Applicant, Raymond King, Jr., proposes a subdivision along with development of three single family detached dwellings. The proposal includes stormwater and utility improvements as well as improvements to and extension of the existing access easement to service the proposed lots.

III. REVIEW COMMENTS

A. Zoning Ordinance

Based on our review, the following items do not appear to comply with the Township Zoning Ordinance.

- 1. §230-33.A – Lot area is defined in Z.O. §230-05 as measured from the ultimate right-of-way line. If right-of-way is extended to provide street frontage for each lot per S.L.D.O. §205-13.C, the proposed lot areas shall be adjusted accordingly per the minimum lot area and width of the R-2 Residential District (i.e. 20,000 square feet and 100 feet, respectively).
- 2. §230-33.B – The front yard shall not be less than 50 feet. The front yard of proposed Lot 3 shall be from the right-of-way of the turnaround area.

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B. Subdivision and Land Development Ordinance

Based on our review, the following items do not appear to comply with the Township Subdivision and Land Development Ordinance. Upon further development of the plans, additional items may become apparent.

1. §205-13.C. – Every lot shall have frontage along the ultimate right-of-way of a street. The proposed shared access shall be developed as a street. The applicant has requested a waiver.
2. §205-10.B & C – Profiles of the proposed street shall be provided detailing alignment and grades.
3. §205-10.D(1)(a) – All streets, public and private, shall have curbs. Curb shall be included along the shared access.
4. §205-10.D(2)(a) – The plan includes a cul-de-sac. The required paving width is 30 feet. Curbing is required.
5. §205-10.D(2)(b) – The proposed cul-de-sac is approximately 750 feet long. A cul-de-sac shall not be greater than 500 feet long. A circular turn around area with a minimum right-of way radius of 62 feet and an outer paving radius of 50 feet is required.
6. §205-17.A(4) – The driveway details should be updated to meet the required construction details. The required paving cross section is 3 inches of compacted 2A modified stone subbase, 5 inches Superpave 25 mm base course and 1.5 inches Superpave 9.5 mm wearing course.
7. §205-17.D – Curb details shall be included on the plan. Note all requirements of the concrete curb in the ordinance when inserting the detail, including Aquaron 2000 or approved equal sealing/curing compound.
8. §205-18.A – Storm drains and appurtenances shall be provided along the roadway or justification included with the stormwater report demonstrating storm drains are not required.
9. §205-18.A(3)(a) – The minimum internal diameter of storm drains shall be 15 inches and the minimum grade 0.5%. The Applicant is requesting a waiver to allow 4-inch pipes at 0% slope within the proposed seepage beds. It is noted that each underground basin is designed for a single family lot. It is also noted that the discharge pipe from each basin is appropriately sized at 12" diameter.
10. §205-18.1.C. & D(1)(a) – The proposed limit of disturbance is greater than 1 acre. A NPDES permit is required from the MCCD.
11. §205-19 & 20 – Documentation of public service from the water and sewer authorities shall be provided.
12. 0167205-21 – We defer review of the number and location of proposed fire hydrants to the Township Fire Marshal.
13. §205-22 – The Board of Supervisors should determine if sidewalks are required. We note sidewalk does not exist along Lenape Drive. If required, a detail shall be provided for concrete sidewalk. Note all requirements of the concrete sidewalk in the ordinance when inserting the detail, including Aquaron 2000 or approved equal sealing/curing compound.
14. §205-24 – We defer review of streetlighting requirements to the Township Lighting Consultant.
15. §205-28.D – The Township topsoil standards shall be noted on the plans. Topsoil shall not be removed from the site until each lot is graded with a minimum of eight inches of topsoil and following approval of the Township.
16. §205-48 - §205-63 – We defer review of all landscaping requirements to the Township Landscape Consultant.
17. §205-78.B.(1) – Certain features such as existing property lines, railroads, names of owners, watercourses, sanitary sewers, storm drains and similar features within 400 feet of any part of the land to be subdivided are to be shown on the plans. The applicant has requested a waiver.
18. §205-78.C(1)(f) – Tentative grades shall be shown to an existing street or to a point 400 feet beyond the boundaries of the subdivision. A waiver should be requested.

19. §205-113 – Park and Recreation Land must be dedicated to the Township unless one of the alternatives set forth in S.L.D.O. §205-116 is agreed to by the Township and the applicant.

C. Stormwater Management Ordinance

Based on our review, the following items do not appear to comply with the Stormwater Management Ordinance. Upon further development of the plans, additional items may become apparent.

1. §206-11.G – Stormwater flows onto adjacent property shall not be created, increased, decreased, relocated, or otherwise altered without written notification of the adjacent property owner from the developer. The outfalls from the proposed seepage beds discharge toward the school district property. The applicant shall notify the school district.
2. §206-14.C – The Applicant shall demonstrate in the PCSWM Narrative that the Volume Control Requirement is satisfied. The narrative shall include a discussion of the requirements, the design methodology and a summary of post-construction condition.
3. §206-14.C(6) – A detailed soil evaluation of the project site shall be completed to determine the suitability of infiltration facilities.
4. §206-19.C – The analysis shall use precipitation depths and intensities found in Appendix A of the Stormwater Management Ordinance.
5. §206-22.B(3)(h) – A note shall be included on the plan indicating the location and responsibility for maintenance of stormwater management facilities. All facilities shall meet the performance standards and design criteria specified in this ordinance. Record Plan General Notes 7 & 8 should be included on the PCSWM Plan.
6. §206-23 – All necessary permits should be submitted to the Township prior to final approval.
7. §206-33.A – The stormwater BMP O&M plan, O&M Agreements and any stormwater easements for each lot shall be recorded within 90 days of approval. The Applicant shall provide the book and page and shall provide copies of the recorded documents.
8. The seepage bed outlet pipe shall be included in the details.
9. The seepage bed detail should be revised to show the depth of stone for each seepage bed varies from lot to lot. Currently, 12 inches is indicated, which does not correspond to the plan view or the analysis.
10. The Seepage Bed Information Tables on Sheets C2.0 and C4.0 do not appear to be correct for Lot 1. The bottom of stone is above the pipe inverts. These should be corrected to correspond to the analysis (e.g. bottom of stone should be 22 inches below the outlet pipe per the current design).
11. The Incremental Runoff Volume calculations on the Hydrology spreadsheet for each seepage bed in Appendix B of the PCSWM Narrative exclude Post Cover 3 (e.g. Columns 7b and 8b contain zero values). These should be revised for completeness.
12. The PCSWM Narrative shall include a summary of the applicable requirements and the post-development conditions.

C. General

1. The Applicant shall obtain all required approvals, permits, declarations of restrictions and covenants, etc. (e.g. PADEP, PennDOT, MCPC, MCCD, Township Fire Marshal, and water & sewer authorities, etc.). Copies of these approvals and permits should be submitted to the Township and our office.
2. The terms and conditions of the existing access over 114 Lenape Dr are not clear. The applicant shall provide documentation supporting the use of this access for the proposed lots for review and approval by the Township Solicitor.
3. The existing driveway at 114 Lenape Dr may require modification if the access is developed as a curbed street.

4. All notes in the plan set should refer to Montgomery Township. Some notes on the plan refer to other municipalities such as Plumstead on the grading and drainage notes.
5. The Fire Marshall should review the accessibility of the site to ensure emergency vehicles can access each lot.
6. Legal descriptions of each lot and easement shall be provided for review and approval.
7. The MCPC file number and signature block shall be included on the record plan.

In order to help expedite the review process of the resubmission of the plan, the Applicant should submit a response letter which addresses each of the above comments. Changes that have been made to the application that are unrelated to the review comments should also be identified in the response letter.

If you have any questions regarding the above, please contact this office.

Sincerely,



James P. Dougherty, P.E.
Senior Project Engineer
Township Engineers

JPD/sl

cc: Lawrence J. Gregan, Manager – Montgomery Township
Marita A. Stoerrle, Development Coordinator – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Ken Amey, AICP
Raymond King, Jr. - Applicant
Kristin Holmes, P.E., Holmes Cunningham Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.



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March 15, 2019

Revised May 13, 2019

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

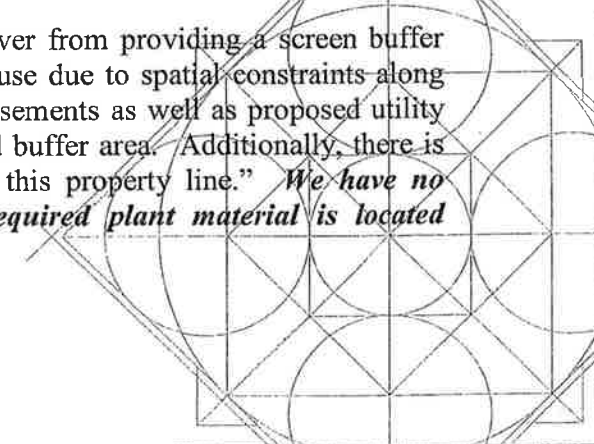
**SUBJECT: 510 BETHLEHEM PIKE
WAIVER REQUEST RESPONSE LETTER
TOWNSHIP LD/S NO. 688
PROJECT NO. 1655301R**

Dear Mr. Gregan:

Please be advised that we have reviewed the February 15, 2019 waiver request letter prepared by Holmes Cunningham Engineering.

We offer the following comments for your consideration.

1. SLDO Section 205-52.A: "the applicant is requesting a waiver from providing street trees along the shared driveway. Due to spatial constraints there is not enough room in the access easement of the shared driveway to plant trees without being within 10 feet of proposed utilities. Existing trees are proposed to remain along a portion of this shared driveway which will provide a similar streetscape." ***Due to site constraints, we have no objection to this waiver request provided the trees are planted elsewhere in the Township or a fee-in-lieu is provided. The required street trees are deficient by nine (9) street trees.***
2. SLDO 205-52.B: "the applicant is requesting a waiver to allow reduced buffer plantings due to spatial constraints along the western perimeter, and to allow reduced planting requirements due to spatial constraints, presence of utility and access easements, and presence of existing buffer vegetation south of the southern property line." ***We have no objection to this waiver request, provided the required plant material is located elsewhere within the Township, or a fee-in-lieu is provided. The western softening buffer is deficient by three (3) shade trees.***
3. SLDO Table 2: "The Applicant is requesting a waiver from providing a screen buffer between the residential use and institutional school use due to spatial constraints along the southern perimeter. There are existing utility easements as well as proposed utility and access easements that occupy the entire required buffer area. Additionally, there is existing buffer vegetation immediately adjacent to this property line." ***We have no objection to this waiver request, provided the required plant material is located***




elsewhere within the Township, or a fee-in-lieu is provided. The southern screen buffer is deficient by fifty-five (55) evergreen trees.

4. SLDO 205-52.C(3)(d): "The applicant is requesting a waiver to allow breaks in the proposed screen plantings to allow for drainage and utility crossings. There are several existing trees that are proposed to remain within the required screen buffer area which helps to supplement the plantings in this area. Additionally, there is a berm proposed along the northern property boundary with the cemetery to provide additional buffering in addition to plantings. This berm has breaks to allow for drainage to flow across the property. Additionally, there are utility services that cross the property boundaries which require a break in plantings to provide a 10-foot separation from utilities." ***We have no objection to this waiver request.***
5. SLDO 205-52.C(4)(c): "The Applicant is requesting a waiver to provide less planting than required for the screen buffers along the northern, western and eastern property lines due to spatial constraints within these areas, including existing trees to be preserved and proposed utilities and stormwater management facilities." ***It should be noted that no screen buffering is required along the western property line. We have no objection to this waiver request along the eastern and northern property lines provided the trees are planted elsewhere in the Township or a fee-in-lieu is provided. The northern screen buffer is deficient by five (5) evergreen trees, and the eastern screen buffer is deficient by seven (7) evergreen trees.***
6. SLDO 205-53.B: "The applicant is requesting a waiver from providing a tree protection zone with fencing within $\frac{1}{4}$ of the dripline of existing trees to remain. A portion of the existing trees to remain have disturbance proposed closer than the dripline of the trees. Tree protection fencing will be provided for all trees to remain, but some trees will have a tree protection fence located just outside the trunk of the tree. Care will be taken during construction to protect all existing trees to remain." ***We would not object to permitting disturbance of root areas in excess of 25% provided the plans are revised to address the following issues:***
 - A. ***Trees where 50% or more of the root area disturbance is proposed, or where disturbance is shown abutting the tree trunk, shall not be considered to be preserved due to the large quantities of critical root zone disturbance proposed. These trees should be added to the tree replacement calculations.***
 - B. ***Details and notes shall be provided in the plans specifying protection and care measures to be implemented prior to, during, and after construction.***
7. SLDO Section 205-53.C: "The Applicant is requesting a waiver from including previously removed trees from the calculation of tree preservation and tree replacement requirements. The Applicant obtained a demolition permit for tree removal." ***We do not support this waiver request. The number and size of trees removed from the site far***

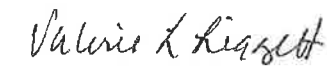
Mr. Lawrence Gregan, Township Manager
510 Bethlehem Pike
March 15, 2019
Revised May 13, 2019
Page 3 of 3

exceeds that which was needed for the demolition of the structure on the site. Per the Boucher & James, Inc. memo dated March 31, 2017 and revised May 9, 2019, a total of one hundred seventy-three (173) replacement trees are required to replace the trees removed from the site. The trees should be planted elsewhere in the Township, or a fee-in-lieu should be provided.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.
Managing Director



Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

Cc: Board of Supervisors
Bruce Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer
Mary Gambino, Project Coordinator
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Raymond King, Jr.
Kristin Holmes, P.E., Holmes Cunningham Engineering
Rachel Sclan Vahey, ASLA, R.L.A., InFocus Planning



Boucher & James, Inc.

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March 15, 2019

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: 510 BETHLEHEM PIKE
PRELIMINARY LAND DEVELOPMENT PLANS
TOWNSHIP LD/S NO. 688
PROJECT NO. 1655301R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Land Development Plans for 510 Bethlehem Pike, prepared by Holmes Cunningham LLC, dated April 20, 2016 and last revised February 15, 2019. The site is located in the R-2 Residential District to the rear of Crossroads Church and is located between the church cemetery and Bridle Path Elementary School.

As part of a recent demolition permit, a single-family dwelling unit and a number of out-buildings were demolished. The applicant proposes subdivision of the property into three (3) lots, with access to be taken from Lenape Drive via a shared access easement. As part of the demolition permit, several trees adjacent to the house were permitted to be removed. However, a large portion of the site was cleared beyond what was permitted by the demolition permit.

We offer the following comments for your consideration.

1. Planting Requirements

- A. SLDO Section 205-52.A: requires the provision of street trees. A waiver has been requested.
- B. SLDO Section 205-52.B: a total of seven (7) shade trees and fifteen (15) shrubs are required within the western softening buffer. Four (4) shade trees and fifteen (15) shrubs are proposed in the plan. A waiver has been requested.
- C. SLDO Table 2: a screen buffer is required between the proposed residential use and the adjacent institutional elementary school use. A waiver has been requested.
- D. SLDO 205-52.C(3)(d): screen plantings are required to be continuous and shall be broken only at points of vehicular or pedestrian access. A waiver has been requested.
- E. SLDO 205-52.C(4)(c): A total of 63 evergreen trees are required within the northern property buffer, 15 in the eastern buffer, and 55 in the south screen buffer. Fifty-eight are proposed in the north buffer, 8 in the east buffer, and none in the south buffer. A waiver has been requested.

Mr. Lawrence Gregan, Township Manager
510 Bethlehem Pike
March 15, 2019
Page 2 of 2

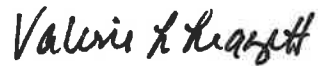
2. Preservation, Protection and Replacement of Trees

- A. SLDO §205-53.B(1): the root area within the drip line of any tree or group of trees may be encroached upon to a maximum of $\frac{1}{4}$ of the total root area. A number of trees, including trees on the neighboring church property, are proposed to be disturbed in excess of this amount. For some trees disturbance of close to 50% is proposed, making it highly unlikely that the trees will survive. A waiver has been requested from the protection requirement.
- B. SLDO 205-53.C outlines requirements for preservation and replacement of trees. A number of trees on the site were removed in order to demolish structures on the site as part of the demolition permit. However, trees over 8" DBH, as well as several very large trees, were removed in excess of that permitted by the demolition permit. These trees must retroactively be included in the tree replacement calculations. A waiver has been requested.
- C. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.
Managing Director



Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors
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January 26, 2017

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: 510 BETHLEHEM PIKE
PRELIMINARY LAND DEVELOPMENT PLANS
TOWNSHIP LD/S NO. 688
PROJECT NO. 1655301R**

Dear Mr. Gregan:

Please be advised that we have reviewed the Land Development Plans for 510 Bethlehem Pike, prepared by Holmes Cunningham LLC, dated April 20, 2016 and last revised November 15, 2016. The site is located in the R-2 Residential District to the rear of Montgomery Baptist Church and is located between the church cemetery and Bridle Path Elementary School.

As part of a recent demolition permit, a single-family dwelling unit and a number of out-buildings were demolished. The applicant proposes subdivision of the property into three (3) lots, with access to be taken from Lenape Drive via a shared access easement. As part of the demolition permit, several trees adjacent to the house were permitted to be removed. However, a large portion of the site was cleared beyond what was permitted by the demolition permit.

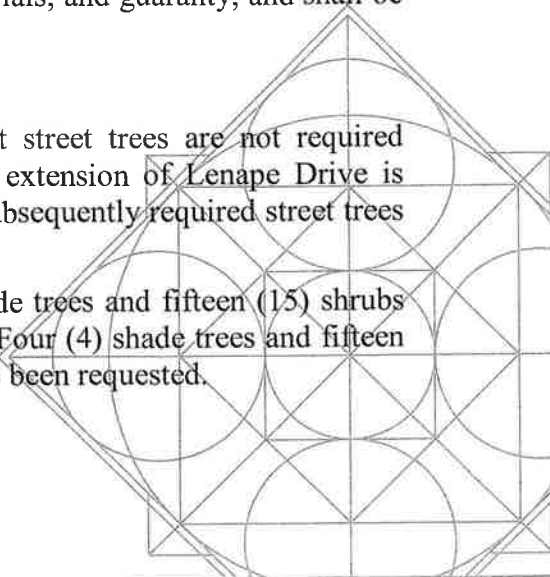
We offer the following comments for your consideration.

1. Landscape Plan Requirements

SLDO Section 205-51.A(18): a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.

2. Planting Requirements

- A. SLDO Section 205-52.A: the plans indicate that street trees are not required because a shared driveway is proposed. If the extension of Lenape Drive is required for plan approval, calculations and any subsequently required street trees must be provided, or a waiver would be required.
- B. SLDO Section 205-52.B: a total of seven (7) shade trees and fifteen (15) shrubs are required within the western softening buffer. Four (4) shade trees and fifteen (15) shrubs are proposed in the plan. A waiver has been requested.



- C. SLDO Table 2: a screen buffer is required between the proposed residential use and the adjacent institutional elementary school use. A waiver has been requested.
- D. SLDO 205-52.C(3)(d): screen plantings are required to be continuous and shall be broken only at points of vehicular or pedestrian access. A waiver has been requested.
- E. SLDO 205-52.C(4)(c): A total of 63 evergreen trees are required within the northern property buffer, 15 in the eastern buffer, and 55 in the south screen buffer. Fifty-eight are proposed in the north buffer, 8 in the east buffer, and none in the south buffer. A waiver has been requested.

3. Preservation, Protection and Replacement of Trees

- A. SLDO §205-53.B(1): the root area within the drip line of any tree or group of trees may be encroached upon to a maximum of $\frac{1}{4}$ of the total root area. A number of trees, including trees on the neighboring church property, are proposed to be disturbed in excess of this amount. For some trees disturbance of close to 50% is proposed, making it highly unlikely that the trees will survive. A waiver has been requested from the protection requirement. We recommend that input be obtained from the Church regarding the disturbance proposed to the trees located on their property, and that the plans be revised to provide details and specifications for additional measures to be taken to adequately protect and care for these trees during construction.
- B. SLDO 205-53.C outlines requirements for preservation and replacement of trees. A number of trees on the site were removed in order to demolish structures on the site as part of the demolition permit. However, trees over 8" DBH, as well as several very large trees, were removed in excess of that permitted by the demolition permit. These trees must retroactively be included in the tree replacement calculations. A waiver has been requested.

4. General Landscape Comments

The plans should be revised to provide a minimum of ten (10) horizontal feet between all proposed trees and underground utility lines and seepage pits.

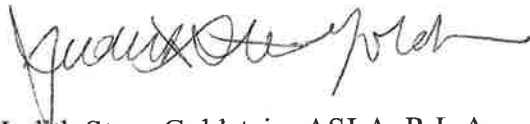
5. General Comments

- A. SLDO Section 205-55.A requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. SLDO Section 205-55.B permits that this condition may be satisfied through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors.

Mr. Lawrence Gregan, Township Manager
510 Bethlehem Pike
January 26, 2017
Page 3

- B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.
Managing Director



Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

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May 20, 2016

Lawrence Gregan, Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

**SUBJECT: 510 BETHLEHEM PIKE
PRELIMINARY LAND DEVELOPMENT PLANS
TOWNSHIP LD/S NO. 688
PROJECT NO. 1655301R**

Dear Mr. Gregan:

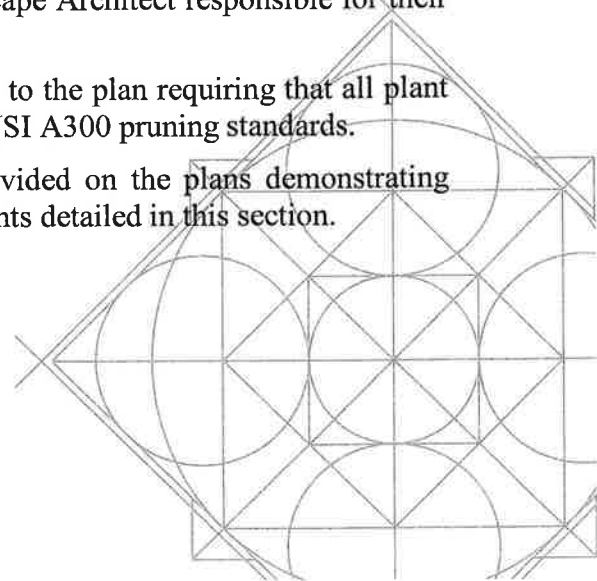
Please be advised that we have reviewed the Land Development Plans for 510 Bethlehem Pike, prepared by Holmes Cunningham LLC, dated April 20, 2016. The site is located in the R-2 Residential District to the rear of Montgomery Baptist Church and is located between the church cemetery and Bridle Path Elementary School.

As part of a recent demolition permit, a single-family dwelling unit and a number of out-buildings were demolished. The applicant proposes subdivision of the property into three (3) lots, with access to be taken from Lenape Drive via a shared access easement. As part of the demolition permit, several trees adjacent to the house were permitted to be removed. However, it appears that trees were removed from the site beyond what was permitted by the demolition permit.

We offer the following comments for your consideration.

1. General Requirements

- A. SLDO Section 205-49.C: landscape plans are required to be prepared, signed and sealed by a landscape architect registered by the Commonwealth of Pennsylvania. The Engineer's seal is currently shown on the landscape plans. The landscape plans must be signed and sealed by the Landscape Architect responsible for their preparation.
- B. SLDO Section 205-49.F: a note shall be added to the plan requiring that all plant material shall be pruned in accordance with ANSI A300 pruning standards.
- C. SLDO Section 205-49.H: a note shall be provided on the plans demonstrating compliance with the final inspection requirements detailed in this section.



2. Landscape Plan Requirements

SLDO Section 205-51.A(18): a detailed cost estimate shall be attached to the final landscape plan submission for the preparation of the land development agreement. Unit costs for plant material shall include costs for labor, materials, and guaranty, and shall be so stated on the estimate.

3. Planting Requirements

- A. SLDO Section 205-52.A: the plans indicate that street trees are not required because a shared driveway is proposed. If the extension of Lenape Drive be required for plan approval, calculations and any subsequently required street trees must be provided, or a waiver would be required.
- B. SLDO Section 205-52.B: softening buffer calculations for the western property boundary indicate a length of 164 LF. Subtraction of the 50' driveway easement from the surveyed property line 231.32 LF indicates a buffer length of 181.32 LF, requiring a total of seven (7) shade trees and fifteen (15) shrubs. Four (4) shade trees and fourteen (14) shrubs are proposed in the plan. The calculations should be revised to show the correct buffer length. A waiver has been requested.
- C. SLDO Table 2: a screen buffer shall be provided between the proposed residential use and the adjacent institutional elementary school use, or a waiver would be required.
- D. SLDO 205-52.C(3)(d): screen planting shall be revised to be continuous and shall be broken only at points of vehicular or pedestrian access, or a waiver would be required.
- E. SLDO 205-52.C(4)(c): screen buffers are to consist of evergreen trees in double rows, staggered 10' to 15' on center. With installation at 15' on center, a total of eighty-five (85) evergreen trees are required along the northern and western property lines, and fifty-five (55) evergreen trees are required along the southern property line. The required screen buffer material should be provided, or a waiver would be required.

4. Preservation, Protection and Replacement of Trees

- A. SLDO §205-53.B(1): the root area within the drip line of any tree or group of trees may be encroached upon to a maximum of $\frac{1}{4}$ of the total root area. A number of trees, including trees on the neighboring church property, are proposed to be disturbed in excess of this amount. For some trees disturbance of close to 50% is proposed, making it highly unlikely that the trees will survive. A waiver has been requested from the protection requirement. We recommend that input be obtained from the Church regarding the disturbance proposed to the trees located on their property.
- B. SLDO §205-53.B(3): at the direction of the Township Engineer, Township Shade Tree Commission or Township Landscape Architect, existing trees which have not been adequately protected are to be removed and replaced. The plans should

be revised to provide a note demonstrating compliance with this ordinance requirement.

- C. SLDO 205-53.C outlines requirements for preservation and replacement of trees. A number of trees on the site were removed in order to demolish structures on the site as part of the demolition permit. However, a number of trees over 8" DBH, as well as several very large trees, were removed in excess of that permitted by the demolition permit. These trees must retroactively be included in the tree replacement calculations, or a waiver from their inclusion in the preservation and replacement requirements would be required.

5. General Landscape Comments

- A. Note No. 2 on sheet 10 of 10 should be revised to reference the American Nursery and Landscape Association, and that the most recent edition of the American Standard for Nursery Stock is to be applicable.
- B. The Erosion and Sediment Control Plans and the Landscape Plan Details provide different specifications for permanent stabilization seed mixes. The plans should be revised to correct this discrepancy.
- C. The plans should be revised to provide a minimum of ten (10) horizontal feet between all proposed trees and underground utility lines and seepage pits.
- D. The plans should be revised to provide a note indicating that substantial changes to the approved Landscape Plans must be approved by the Township through plan resubmission. If substantial changes to the landscaping are made without prior approval from the Township, the changes will be rejected upon inspection.
- E. The plans should be revised to provide a note indicating that if a plant species or other substitution is made without receiving prior substitution request approval from the Township, the unapproved plants will be rejected upon inspection. All plant substitution requests should be submitted in writing for review.
- F. All tree protection fencing shown in the Erosion and Sediment Pollution Control Plan is shown within the limit of disturbance. The limit of disturbance should be brought forward to match the location of the proposed tree protection fencing in order to accurately document the amount of disturbance proposed to the trees.
- G. The installation of tree protection fencing should be included within the construction sequence in the Erosion and Sediment Pollution Control Plan.

6. General Comments

- A. SLDO Section 205-55.A requires that no building permit shall be issued unless a performance bond or other surety approved by the Township Solicitor has been filed with the Township. Such surety shall be in an amount equal to the cost of purchasing, planting, maintaining, and replacing all vegetative materials for a period of 18 months after written acceptance of the landscape installation by the Township. SLDO Section 205-55.B permits that this condition may be satisfied

Mr. Lawrence Gregan, Township Manager
510 Bethlehem Pike
May 20, 2016
Page 4

through a land development agreement with sufficient and appropriate financial guaranties suitable to the Board of Supervisors.

- B. A detailed response letter addressing the above noted comments and any other changes to the plans should be included with future submissions.

Sincerely,



Judith Stern Goldstein, ASLA, R.L.A.
Managing Director



Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®
Planner/Landscape Architect

JSG/vll/kam

cc: Board of Supervisors
Planning Commission
Bruce Shoupe, Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, P.E., Gilmore & Associates, Inc.
Kevin Johnson, P.E., Traffic Planning & Design
Ken Amey, AICP
Raymond King, Jr.
Kristin Holmes, P.E., Holmes Cunningham Engineering
Rachel Sclan Vahey, ASLA, R.L.A., InFocus Planning

Memo

To: Bruce Shoupe, Director of Planning and Zoning

From: Valerie L. Liggett, ASLA, R.L.A.
ISA Certified Arborist®

Subject: 510 Bethlehem Pike Tree Replacement Calculations

Date: March 31, 2017
REVISED May 9, 2019
August 21, 2019

Please be advised that I have reviewed the attached tree replacement calculations, prepared by Rachel Sclan Vahey of InFocus Planning, dated March 24, 2017. As part of this review, I performed a site visit on March 30, 2017 to field verify the site diagram provided as a supplemental to the calculations. Based on this site visit, and information provided by yourself regarding large trees removed from the site, I provide the following calculation of the required number of replacement trees as required by SLDO 205-53, Preservation and Protection of Existing Trees.

In addition, on August 13, 2019 I met with Rachel Vahey at your and the applicant's request to discuss the tree replacement calculations. As a result of that meeting, the calculations have been revised to expand the sample area to include the full access easement, minus the existing driveway area, and to count several additional trees as being preserved on the site based on the most recent submitted plan set. As the utility easement is no longer being subtracted from the sample area, the utility easements are now not being subtracted from the main parcel for the purposes of consistency.

1. Additional Trees Found on Site:

TMP 46-00-00445-004	
Western property line:	8" Cherry
Northern property line:	8" deciduous
	13" Oak
Access Easement	8" deciduous
	11" deciduous

2. Large Trees Removed from the Site

(as measured by Bruce Shoupe in preparation for issuance of demolition permit):

Trees 24-48": 48", 48", 48", 36", 32.5", 33"

Total = 245.5 caliper inches¹

Trees 48"+: 60", 55.4"

Total = 115.4" caliper inches

3. Sample Area

¹ Per the meeting on 7/19/17 with the applicant, these trees are not to be counted as part of the tree replacement calculations in order to eliminate "overlap" with the sample area calculations.



Area of access easement:	18,699.50 SF +/-
Area of driveway	<u>-570 SF +/-</u>
Sample Area:	18,129.50 SF +/-

Trees within Sample Area:

8-23"	22 Trees
24-48"	67 caliper inches

4. Site Area for Tree Replacement Calculations

	<u>TMP 46-00-00445-00-4</u>	<u>Easement</u>
Gross Area:	91,750.60 SF +/-	18,699.50 SF +/-
Structures:	-8,835.00 SF +/-	
Driveways:	<u>-3,550.00 SF +/-</u>	<u>-570.00 SF +/-</u>
	=79,365.50 SF +/-	= 18,129.50 SF +/-

5. Calculation of Existing Tree Quantities

TMP 46-00-00445-00-4
79,365.50 SF / 18,129.50 SF sample area = 4.38
Trees 8-23" = 22 x 4.38 = 96.36 or 97 trees
Trees 24-48" = 67" x 4.38 = 293.46 caliper inches
Trees 48"+ Removed = 115.4 caliper inches (per Section 2)

Access Easement
18,129.50 SF / 18,129.50 SF sample area = 1
Trees 8 - 23" = 22 x 1 = 22 trees
Trees 24-48" = 67" x 1 = 67 caliper inches

Therefore, total "existing" tree quantities are as follows:
Trees 8-23" = **119 trees**
Trees 24-48" = **360.46 caliper inches**
Trees 48" + = **115.4 caliper inches**

6. Permitted Tree Removal:

Trees 8-23" = 119 trees x 0.4 = 47.6 or **48 trees**
Trees 24-48" = 360.46" x 0.4 = **144.18 caliper inches**
Trees 48" + = **0 caliper inches**

7. Proposed Tree Removal

Trees 8-23"; 119 trees - 13 trees* = **106 trees removed**
Trees 24-48"; 360.46 caliper inches - 53"* = **307.46" removed**
Trees 48"+; **115.4" removed**
* trees proposed to be adequately protected as of most recent plan submission

8. Required Tree Replacement



Trees 8-23"; 106 trees TBR – 48 trees permitted TBR = **58 trees** required to be replaced
Trees 24-48"; 307.46" TBR – 144.18" permitted TBR = 163.28" x 0.6 = 97.97/3 = 32.66 or
33 trees required to be replaced.
Trees 48" + = 115.4" removed = 115.4 x 0.6 = 69.24/3 = 23.08 or **23 trees** required to be replaced.

Total Trees Required to be Replaced* = **114 trees** at 2.5" caliper size

*Based on the design plans dated April 20, 2016 last revised February 15, 2019, and the limit of disturbance and tree protection measures depicted therein. Should the limit of disturbance and proposed tree protection measures be revised, the quantity of required replacement trees should be revised accordingly.





TRAFFIC PLANNING AND DESIGN, INC.

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March 19, 2019

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

RE: 510 Bethlehem Pike Subdivision
Major Subdivision and Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 688
TPD No. MOTO.A.00108

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the following items:

- Major Subdivision and Land Development Plans prepared by Holmes Cunningham Engineering, dated April 20, 2016, last revised February 15, 2019;
- Response letter prepared by Holmes Cunningham Engineering, dated February 15, 2019;
- Waiver request letter prepared Holmes Cunningham Engineering, dated February 15, 2019.

Based on our review, we offer the following comments using the same numbering system as our May 26, 2016 and January 26, 2017 review letters for those comments not yet addressed. Comments that were addressed are not shown.

Previous Plan Comments

6. The Public Works Director should review the plan to determine if additional improvements are required to accommodate snow storage and/or a turnaround area for snow plows at the transition between Lenape Road and the proposed shared driveway.
7. The type and location of the "No Outlet" sign proposed on Lenape Drive at the intersection with Greenbriar Road needs to be provided. For example, will it be a standard W14-2 sign?
8. An "End of Roadway Marker" (a standard OM4-3 sign) needs to be provided in the center of the roadway at the eastern end of the proposed shared driveway.

New Plan Comments

9. Vertical curves should be provided where the proposed common driveway ties into the existing Lenape Drive and at approximately Station 6+60.

Requested Waivers

TPD offers the following opinions for the waivers from the Montgomery Township Subdivision and Land Development Ordinance pertaining to traffic:

1. *A partial waiver is requested from Section 205-10.D(1)a & 205-17.D to not provide curbing along one side of the shared driveway.*

TPD has no objections to this waiver request from a traffic engineering perspective because the shared access will serve very low volumes and will not have significant grades.

2. *A waiver is requested from Section 205-10.D(2)a to not provide a circular cul-de-sac bulb with curbing.*

TPD has no objections to this waiver request from a traffic engineering perspective because the shared driveway is not a public road, the Shared Driveway Turnaround on Proposed Lot 3 is a branch type cul-de-sac as defined in AASHTO's "A Policy on Geometric Design of Highways and Streets", 2011, the Turnaround is in accordance with the International Fire Code, and the shared driveway only serves five properties.

3. *A waiver is requested from Section 205-10.D(2)b to provide a cul-de-sac street with a length in excess of 500 feet.*

TPD has no objections to this waiver request from a traffic engineering perspective because traffic volume will be very low, the shared driveway provides access to only five properties, and fire hydrants will be provided.

4. *A waiver is requested from Section 205-13.C from which requires lot frontage along the ultimate right-of-way line of a street.*

TPD has no objections to this waiver request from a traffic engineering perspective because the shared driveway is being designed in accordance with the Township roadway specifications for the cartway width, right-of-way width, and pavement section.

5. *A waiver is requested from Section 205-22A which requires sidewalk along the proposed shared driveway.*

Mr. Bruce S. Shoupe
March 19, 2019
Page 3

TPD will defer to the Board of Supervisors regarding the need for sidewalk along the proposed shared driveway.

6. *A waiver is requested from Chapter A237-1, which requires street lighting.*

TPD has no objections to this waiver request, as existing lighting is not currently provided along Lenape Drive in either direction of the project site frontage.

We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
Mary Gambino, Township Project Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Kristin Holmes, P.E.
Jerry Baker, P.E., TPD
Frank Falzone, P.E., TPD
Eric Hammond, TPD



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January 26, 2017

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

RE: 510 Bethlehem Pike Subdivision
Major Subdivision and Land Development Plan Review
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 688
TPD No. MOTO.A.00108

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the following items:

- Major Subdivision and Land Development Plans prepared by Holmes Cunningham Engineering, dated April 20, 2016, last revised November 15, 2016;
- Response letter prepared by Holmes Cunningham Engineering, dated December 27, 2016;
- Waiver request letter prepared Holmes Cunningham Engineering, dated December 12, 2016.

Based on our review, we offer the following comments using the same numbering system as our May 26, 2016 review letter for those comments not yet addressed. Comments that were addressed are not shown.

Plan Comments

5. Per Chapter A237-1 Streetlighting (Amended by Ordinance #13-276); "Street Lighting shall be installed along each street in each subdivision and along each street front abutting a public street in each land development by the developer and at the expense of the developer, unless specifically waived by the Board of Supervisors." TPD would support a waiver of this requirement, as existing lighting is not currently provided along Lenape Drive in either direction of the project site frontage.

6. The Public Works Director should review the plan to determine if additional improvements are required to accommodate snow storage and/or a turnaround area for snow plows at the transition between Lenape Road and the proposed shared driveway.
7. A "No Outlet" sign (W14-2) should be provided on Lenape Drive at the intersection with Greenbriar Road.
8. An "End of Roadway Marker" (OM4-3) should be provided at the eastern end of the proposed shared driveway.

Requested Waivers

TPD offers the following opinions for the waivers from the Montgomery Township Subdivision and Land Development Ordinance pertaining to traffic:

1. *A waiver is requested from Section 205-10.D(1)a & 205-17.D to not provide curbing along the shared driveway.*

TPD has no objections to this waiver request because the shared access will have very low volumes and will not have significant grades which could cause erosion.

2. *A waiver is requested from Section 205-10.D(2)a to not provide a circular cul-de-sac bulb with curbing.*

TPD has no objections to this waiver request because the shared driveway is not a public road, the Shared Driveway Turnaround on Proposed Lot 3 is a branch type cul-de-sac as defined in AASHTO's "A Policy on Geometric Design of Highways and Streets", 2011, the Turnaround is in accordance with the International Fire Code, and the shared driveway only serves five properties.

3. *A waiver is requested from Section 205-10.D(2)b to provide a cul-de-sac street with a length in excess of 500 feet.*

TPD has no objections to this waiver request because traffic volume will be very low, the shared driveway provides access to only five properties, and fire hydrants will be provided.

4. *A waiver is requested from Section 20-13.C from which requires lot frontage along the ultimate right-of-way line of a street.*

TPD has no objections to this waiver request from a traffic perspective because the shared driveway is being designed in accordance with the Township roadway specifications for the cartway width, right-of-way width, and pavement section.

Mr. Bruce S. Shoupe
January 26, 2017
Page 3

5. A waiver is requested from Section 205-22A which requires sidewalk along the proposed shared driveway.

TPD will defer to the Board of Supervisors regarding the need for sidewalk along the proposed shared driveway.

We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Kristin Holmes, P.E.
Joseph Platt, P.E. - TPD
Frank Falzone, P.E. - TPD



TRAFFIC PLANNING AND DESIGN, INC.

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May 26, 2016

Mr. Bruce S. Shoupe
Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

RE: 510 Bethlehem Pike Subdivision
Montgomery Township, Montgomery County, PA
Montgomery Township LD/S# 688
TPD No. MOTO.A.00108

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) has reviewed the Major Subdivision and Land Development Plans prepared by Holmes Cunningham Engineering, dated April 20, 2016. Based on our review, we offer the following comments:

Plan Comments

1. Access is proposed through an easement on the Rich property. However, it is unclear if the easement permits access for more than one use as a result of subdivision. The Township Solicitor should review the easement to determine if the proposed access is permitted.
2. A shared driveway is proposed as an extension of Lenape Drive to serve one existing dwelling unit and three proposed dwelling units. However, §205-13.C of the Montgomery Township Subdivision and Land Development Ordinance indicates that all lots must have frontage along a street. The shared driveway must be designed as a cul-de-sac in accordance with §205-10(2) with appropriate pavement width, right-of-way, circular turnaround, etc.
3. It appears that the cul-de-sac on Lenape Drive will exceed 500 feet measured from Greenbriar Road. Therefore, a waiver will be required from §205-10(2) to construct a cul-de-sac in excess of 500 feet.

Mr. Bruce S. Shoupe

May 26, 2016

Page 2

4. A centerline profile should be provided for the Lenape Drive extension. In addition, all applicable construction details should be provided for the Lenape Drive extension.

There may be additional comments related to the design and construction of the proposed access depending on how the comments above are addressed. We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.



Kevin L. Johnson, P.E.

President

kjohnson@TrafficPD.com

cc: Larry Gregan, Township Manager
Marita Stoerrle, Township Development Coordinator
Kevin Costello, Township Public Works Director
Russ Dunlevy, P.E., Township Engineer
Kristin Holmes, P.E.
Joseph Platt, P.E., TPD

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

March 11, 2019

Mr. Bruce S. Shoupe, Director of Planning/Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936-9605

Re: MCPC #16-0105-002
Plan Name: 510 Bethlehem Pike
(3 lots comprising 2.1 acres)
Situates: Lenape Drive, east of Greenbrier Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced subdivision and land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on February 19, 2019. We forward this letter as a report of our review.

BACKGROUND

The applicant, Raymond King, Jr., proposes to subdivide and construct three single-family detached homes on a 2.1-acre area of wooded land with one dwelling and several smaller accessory buildings, currently zoned R-2 Residential. These homes will utilize a fifty foot wide access easement that connects the property across a neighbor's land to the end of Lenape Drive; no access will be taken off of Bethlehem Pike, as the parcel is located behind the Montgomery Baptist Cemetery. Additional sanitary and water easements are also proposed. The homes as proposed will each be sized at 2,500 square feet. A previous review letter was written for this proposal on May 20, 2016; only a few changes were noted on this revised plan submission, including the flipping of the driveway and shared turnaround area on Lot 3, which necessitated a new siting of the proposed house on Lot 3.

COMPREHENSIVE PLAN COMPLIANCE

Montgomery Township's 2008 Comprehensive Plan Update Vision Plan identifies this area as low-density residential, backing up to the area along Bethlehem Pike marked as Limited Business Professional. We believe that this project is compatible with the Township's vision plans.



Montgomery County's comprehensive plan, *Montco 2040: A Shared Vision*, identifies this area on its Future Land Use map as part of the "Suburban Residential Area". This project is compatible with *Montco 2040*.

RECOMMENDATION/CONCLUSION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal. Many of our comments in our previous letter concerned ensuring the Township and the applicant would work together during and after the subdivision and any future building construction, and we reiterate this stance. We have no further comments regarding the plan revision.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files. Please print the assigned MCPC number (#16-0105-002) on any plans submitted for final recording.

Sincerely,



Matthew Popek, Senior Transportation Planner
mpopek@montcopa.org - 610-278-3730

c: Raymond King, Jr., Applicant
Kristin Holmes, P.E., Applicant's Engineer
Lawrence Gregan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Land Development Plan

Aerial – 510 Bethlehem Pike, Montgomery Township



510 Bethlehem Pike Subdivision
MCPC #160105002

Montgomery
County
Planning
Commission
Montgomery County Courthouse - Planning Commission
PO Box 3111, Norristown PA 19384-0211
ph: 610 272 2722 • fx: 610 272 2843
www.montco.org/planning
Year 2015 aerial photography provided by the
Deane and Vetter Regional Planning Commission



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JODY L. HOLTON, AICP
EXECUTIVE DIRECTOR

May 20, 2016

Mr. Bruce S. Shoupe, Director of Planning/Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, Pennsylvania 18936-9605

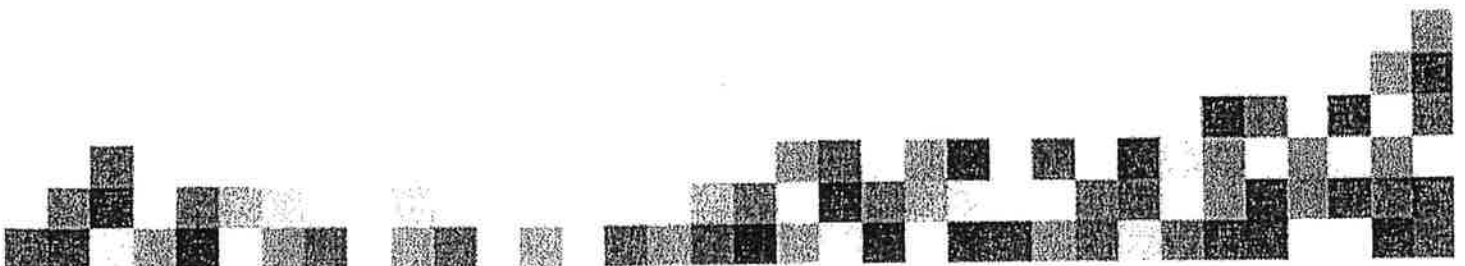
Re: MCPC #16-0105-001
Plan Name: 510 Bethlehem Pike (LD/S #688)
(3 lots comprising 2.1 acres)
Situates: Lenape Drive/East of Greenbrier Road
Montgomery Township

Dear Mr. Shoupe:

We have reviewed the above-referenced preliminary subdivision and land development plan in accordance with Section 502 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on April 25, 2016. We forward this letter as a report of our review.

BACKGROUND

The applicant, Raymond King, Jr., proposes to subdivide and construct three single-family detached homes on a 2.1-acre area of wooded land with one dwelling and several smaller accessory buildings, currently zoned R-2 Residential. These homes will utilize a fifty foot wide access easement that connects the property across a neighbor's land to the end of Lenape Drive; no access will be taken off of Bethlehem Pike, as the parcel is located behind the Montgomery Baptist Cemetery. The homes as proposed will each be sized at 2,500 square feet.



RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified the following issues that the applicant and municipality may wish to consider prior to final plan approval. Our comments are as follows.

REVIEW COMMENTS

SITE ACCESS

- A. We recognize that this subdivision will depend on vehicular access across an established fifty foot access easement through a neighboring property that is located at the current end of Lenape Drive. We recommend that the previous arrangements between the Township and the neighbors of this property remain in force.
- B. The site plan does not make any reference to any future access to Bethlehem Pike, the current address of the property notwithstanding. We recommend that this be codified on the plan in the General Notes section.
- C. Once the property is subdivided, we strongly recommend a new shared access and maintenance agreement between the three subdivided parcels to codify rights and responsibilities between the property owners and their heirs, successors, and assigns. If possible, the owner of the neighboring property with the current access easement should also be a party to the new easement, as access for all three subdivided parcels will still need to use the original access easement. This new agreement should be recorded with the County Recorder of Deeds for future reference.
- D. The Township should ensure that the proposed "shared driveway turnaround" as shown on Proposed Lot 3 meets all emergency access standards.

CONSTRUCTION

Since the construction of any future homes on these subdivided lots will require the shared site access as described above, we recommend that the Township and property owner work together to ensure uninterrupted access of all parcels affected. Additional provisions for installing utilities should be closely monitored by the Township.

CONCLUSION

We wish to reiterate that MCPC supports the applicant's proposal, but we believe that our suggested revisions will better achieve Montgomery Township's planning objectives for the residential property.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body approve a final plat of this proposal, the applicant must present the plan to our office for seal and signature prior to recording with the Recorder of Deeds office. A paper copy bearing the municipal seal and signature of approval must be supplied for our files.

Sincerely,

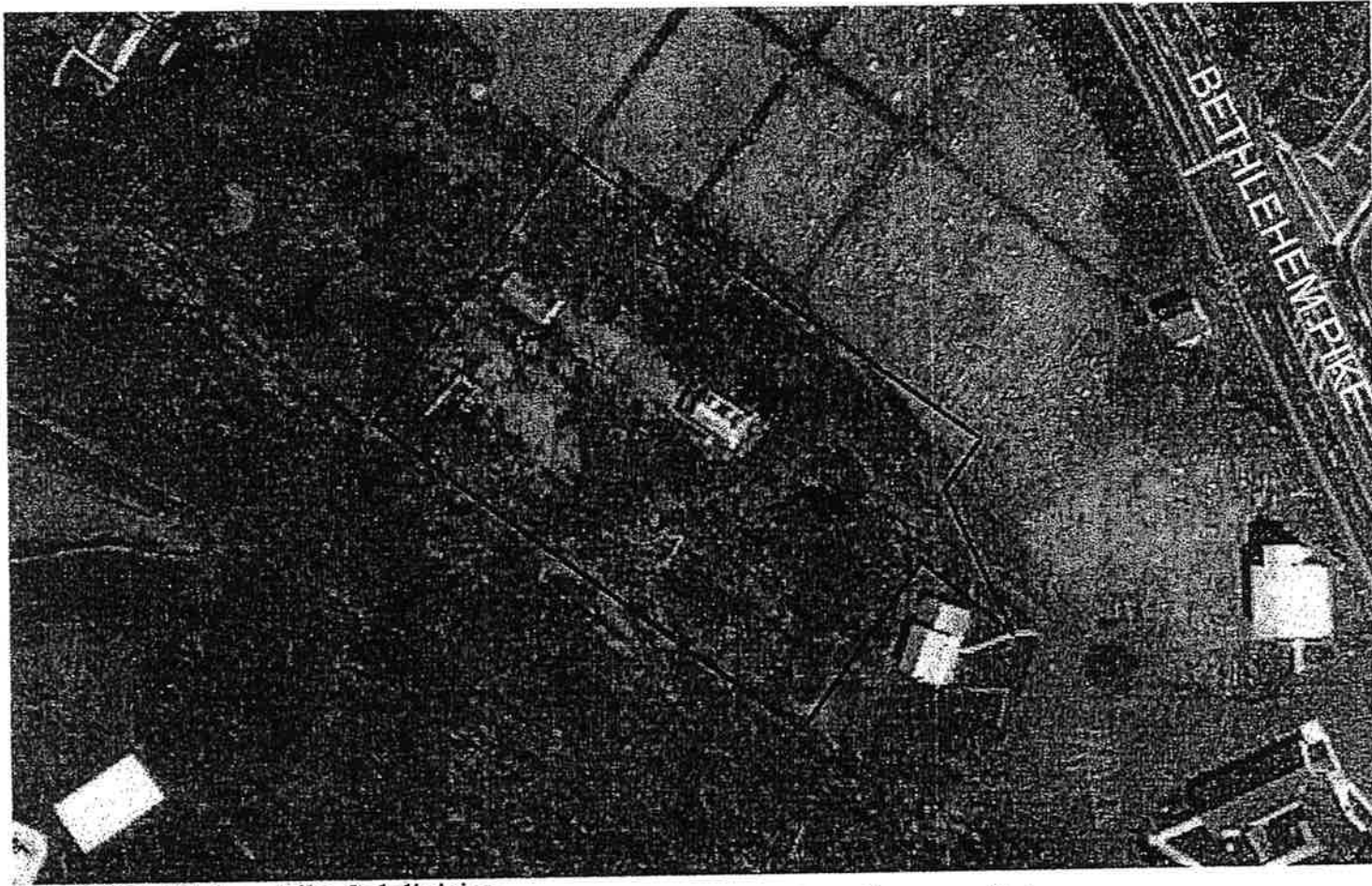


Matthew Popek, Transportation Planner
mpopek@montcopa.org – 610-278-3730

c: Raymond King, Applicant
Kristin Holmes, PE, Applicant's Representative
HC Engineering, Inc., Applicant's Engineer
Lawrence Gegan, Twp. Manager
Jay Glickman, Chrm., Twp. Planning Commission

Attachments: Aerial Photograph of Site
Reduced Copy of Applicant's Record Plan

Aerial – 510 Bethlehem Pike, Montgomery Township



510 Bethlehem Pike Subdivision
MCPC #160105001

Montgomery
County
Planning
Commission
Montgomery County Corridor - Planning Commission
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www.montcopa.org/planning
Year 2016 aerial photography provided by the
Delaware Valley Regional Planning Commission



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Planning Commission Meeting Minutes May 16, 2019

In attendance: Jay Glickman, Jim Rall, Ellen Reynolds, David Fetzer, Leon McGuire. Absent Steve Krumenacker, Mike Lyon. Also in attendance; Stacy Crandell, Marianne McConnell and Bruce Shoupe.

Call to Order: 7:30pm

Approval of Minutes: February 21, 2019. Motion Jim Rall, second David Fetzer approved as submitted. Motion passed 5-0 (Steve Krumenacker, Mike Lyon absent)

510 Bethlehem Pike – The subject property is a vacant 2.11 acre lot within the R-2 Residential Zoning District at the end of Lenape drive with access through an easement over the adjacent developed residential lot. Other surrounding properties include a church, cemetery, and Bridle Path Elementary school. The applicant, Ray King, proposes a 3 lot subdivision for three single family detached dwellings. The plan includes stormwater and utility improvements as well as improvements to and the extension of the existing access easement to service the proposed new lots.

In attendance to present the application were Ray King (applicant), Kristen Holmes (applicant's engineer), and Jim Garrity (applicant's attorney). Mr. Garrity addressed the Commission and summarized the proposed project. The project was first submitted to the Township in 2016 for review. Due to litigation, the project was delayed and resubmitted in February 2019. Copies of the 2016 and 2019 Township Consultant review letters were provided for the meeting to the applicant and Planning Commission members for review:

1. The applicant stated that the Township Engineer had no objections to the applicant's waiver requests and deferred the landscaping and lighting reviews to those respective consultants.
2. The applicant stated that they will comply with all comments in regards to the Lighting Consultant, Traffic Consultant, and Fire Services review letters.
3. The Planning & Zoning review letter had comments in regards to providing a fire hydrant, the Park & Recreation fee, and the sump pump discharge must be connected into the seepage pits. Bruce Shoupe, Director of Planning & Zoning confirmed that the request for the fire hydrant was made after consulting with the Director of Fire Services.
4. The MCCD recommended that no future connection to Route 309 (Bethlehem Pike) be provided
5. The Landscape Consultant had no objections to the waiver requests on the condition that the fee in lieu of is paid. Applicant stated that the fees based on the 2016 filing would be \$25K per lot and on the 2019 filing they would be \$50K per lot. The applicant also stated that the lots are proposed to be landscaped to the extent that they can. They cannot install additional landscape buffering on the school district side as they are limited by the utilities. Mr. Garrity noted that there is an existing buffer on the school district property.
5. The Police Department review letter had not issues.

Mr. Garrity stated that the only concerns the applicant has are with the landscaping fees, specifically the requirement to buffer the school district property and the replacement trees. He also stated that the applicant has agreed to stub utilities (water and sewer) for the adjacent lot owned by Mr. Frank Rich and for three future lots. The applicant has agreed to a width of 26 feet for the driveway access and it will remain private. It will not be dedicated to the Township. The applicant has also provided a 90 degree hammerhead on the driveway at lot 3 as a turnaround for emergency services.

On a motion made by Leon McGuire and seconded by David Fetzer the 510 Bethlehem Pike subdivision plan was recommended for approval subject to compliance with reviews issued by staff and Township Consultants.

Ellen Reynolds announced that she would be stepping down from the Planning Commission at the end of June, whereas her family has sold their house and is moving out of the Township. The other members thanked her for her time and contributions to the Township and wished her well in the future.

There being no further business to be heard, the meeting adjourned at 8:00 pm. The next meeting is scheduled for June 20, 2019 at 7:30pm.

**ZONING ORDINANCE
PLAN REVIEW
510 Bethlehem Pike**

DATE: May 3, 2019

PLAN REVIEW – 510 Bethlehem Pike
LD/S # 688

DEVELOPMENT NAME: 510 Bethlehem Pike
LOCATION: LOT NUMBER & SUBDIVISION: 3-lot SFH
ZONING DISTRICT: R2 - Residential
PROPOSED USE: Residential
ZONING HEARING BOARD APPROVAL REQUIRED? NO
CONDITIONAL USE APPROVAL REQUIRED? NO

	Proposed	Required	Approved	Not Approved	WAIVER
USE	Residential		X		
HEIGHT	<35 ft.	35 ft.			
LOT SIZE	20,000+ sf	20,000 sf	X		
SETBACKS					
FRONT	>50 ft.	50 ft. min	X		
SIDES	>15 ft	15 ft. min	X		
REAR	>30 ft	30 ft. min	X		
BUFFERS					
SOFTENING	20 ft	20 ft. Perimeter	X		
SCREENING	20 ft	20 ft. Perimeter	X		
BUILDING COVERAGE	<11.0%	MAX 15%	X		
IMPERVIOUS COVERAGE	<19.0%	Max 30%	X		
GREEN AREA	>81%	Min 70%	X		

ADDITIONAL COMMENTS

- Plan identifies the Rich's property as two separate lots. These lots were merged as a condition of approval for LDS 535, please add note to plan.
- Trees were removed without permission from the lot prior to submission of land development plans. The Township Landscape Consultant shall determine required replacement trees and associated fees for the Board of Supervisors consideration.
- A note shall be placed on the plan sump pump discharge must be into seepage pits.
- Install additional fire hydrant on 119 Greenbriar Road, where new access driveway begins.
- Page C2.0, General Note #10 and Grading and Drainage note #13 & 14 refers to Plumstead Township
- Page C2.0, Utility note #7 is incorrect


ZONING OFFICER

5.7.19
DATE



MONTGOMERY TOWNSHIP POLICE DEPARTMENT

J. Scott Bendig
Chief of Police

1001 Stump Road • P.O. Box 68 • Montgomeryville, PA 18936
215-362-2301 • Fax 215-362-6383

To: Montgomery Township Board of Supervisors
Marita Stoerrle, Development Coordinator

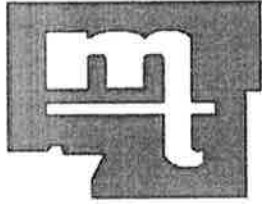
From: J. Scott Bendig, Chief of Police *JSB*

Date: May 3, 2016

Re: LD/S #: 688
510 Bethlehem Pike
Date of Plan: 4/20/16

A review of the above referenced subdivision/land development has been conducted on this date.
There are no areas of concern to the police department at this time.

Thank you for the opportunity to review this subdivision/land development. Please contact me if you have any issues or concerns.



**MONTGOMERY TOWNSHIP
DEPARTMENT OF FIRE SERVICES
1001 STUMP ROAD
MONTGOMERYVILLE, PA 1 18936-9605**
Telephone: 215-393-6935 • Fax: 215-699-1560
email: rlesniak@montgomerytp.org
www.montgomerytp.org

RICHARD M. LESNIAK
DIRECTOR OF FIRE SERVICES
FIRE MARSHAL
EMERGENCY MANAGEMENT
COORDINATOR

FIRE MARSHALS OFFICE:
215-393-6936

March 8, 2019

Bruce Shoupe
Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Re: 510 Bethlehem Pike

Dear Bruce:

Thank you for allowing the Fire Marshal's Office to comment on the proposed construction of the:
510 Bethlehem Pk. LD/S # 688

Using the 2009 edition of the International Fire Code for guidance, the Fire Marshal's Office offers the following comments:

1. **503.1.1 Buildings and facilities.** *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall extend to within 150 feet (45720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.
Exception: The *fire code official* is authorized to increase the dimensions of 150 feet (45720 mm) where:
 1. The building is equipped throughout with an *approved* automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire protection is provided.
 3. There are not more than two Group R-3 or Group-U occupancies.**Comment: Requested information was shown on the revised plan dated February 15, 2019**
2. **503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
Comment: Applicant shall place a note on the record plan stating that the owners of the properties will maintain a 13'6" vertical clearance along the entire length of the access road.
3. **503.2.4 Turning radius.** The required turning radius of a fire apparatus access road shall be determined by the *fire code official*.
Comment: The applicant shall install "No Parking" signs to prohibit parking in the proposed turnaround.

4. **503.3 Marking.** Where required by the *fire code official*, *approved* signs or other *approved* notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. “NO PARKING FIRE LANE” signage SHALL be provided at all fire lanes at intervals of not more than 50 ft. or as otherwise directed by the Fire Marshal’s Office.

- Fire apparatus roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a *fire lane*.
- Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a *fire lane*.

Comment: The applicant shall install “No Parking – Fire Lane” signs to meet the requirements as stated above. The Fire Marshal’s Office will review the revised plans to confirm the location of said signage.

5. **505.1 Address identification.** New and existing buildings shall have *approved* address numbers, building numbers or *approved* building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the *public way*, a monument, pole or other sign or means shall be used to identify the structure.

Comment: Street address numbers shall be provided on building as directed by the Fire Marshal’s Office.

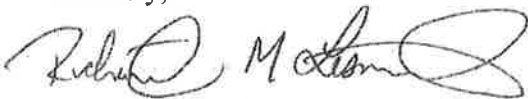
GENERAL COMMENTS

6. **901.5 Installation acceptance testing.** Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other *fire protection systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. The *fire code official* shall be notified before any required acceptance testing.

Comment: Representatives from the North Wales Water Authority and Township Engineer’s office shall be present to witness the flushing of the water main and fire hydrant.

All revisions of the above named plan SHALL be reviewed by the Fire Marshal’s Office for approval. Should you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,



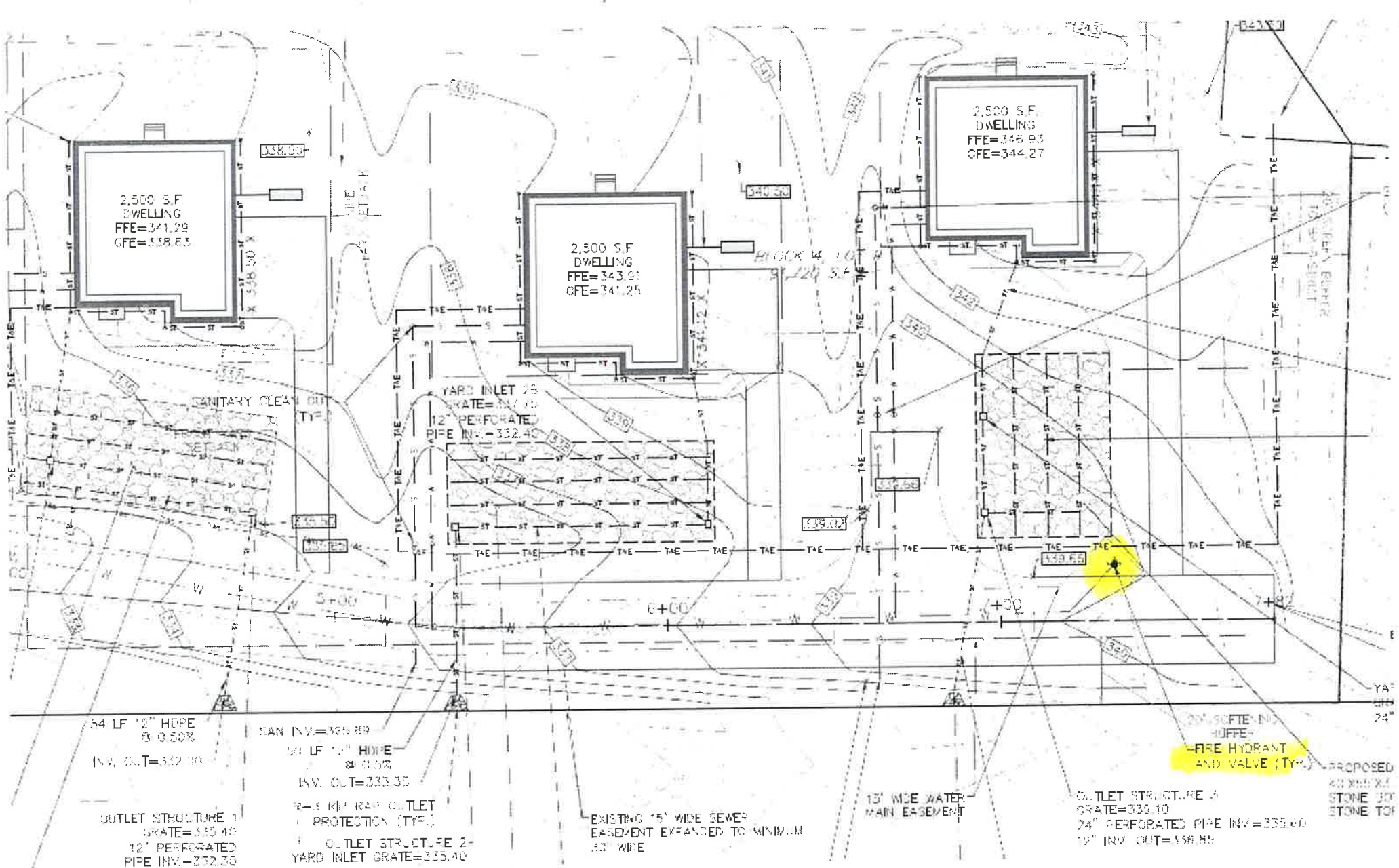
Richard M. Lesniak
Director of Fire Services

Reviewed by: Capt./Asst. Fire Marshal Colelli

Cc: Lawrence J. Gregan, Manager – Montgomery Township
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Ken Amey, AICP
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
James Dougherty, P.E., - Gilmore & Associates, Inc.

LDS 688 Fire Hydrant Location





KENNETH AMEY, AICP
professional land planner

January 26, 2017

(via e-mail)

Lawrence J. Gegan, Township Manager
MONTGOMERY TOWNSHIP
1001 Stump Road
Montgomeryville, PA 18936

Re: Subdivision and Land Development Application
510 Bethlehem Pike
Township File #LD/S 688
Second Review

Dear Mr. Gegan:

I am in receipt of a revised submission for the subdivision of an existing parcel into 3 building lots at 510 Bethlehem Pike. Plans submitted with the application were prepared by Holmes Cunningham Engineering and are dated April 22, 2016, with a last revision date of November 15, 2016. The property is zoned R-2 Residential, is 2.11 acres in area and has no public road frontage. Access is provided by a shared access easement from Lenape Drive. My comments follow:

1. Plans have been revised to properly show the net lot area of the three proposed lots.
2. The front yard setback for Lot #3 has been revised to show the correct setback from the shared access easement.
3. The plan shows a turnaround area adjacent to Lot #3 instead of the required cul-de-sac bulb. The applicant's engineer notes that truck turning plans have been prepared and show that there is adequate room to maneuver emergency vehicles. This needs to be confirmed by the Fire Marshal.

Please let me know if there are any questions.

Very truly yours,



Kenneth Amey

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

cc: Bruce S. Shoupe, Township Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, PE, Township Engineer
Frank Bartle, Esq., Township Solicitor
Kevin Johnson, PE, Township Traffic Engineer
Judith Stern Goldstein, ASLA, Township Landscape Architect
Kristin Holmes, PE, Holmes Cunningham Engineering

KENNETH AMEY, AICP
professional land planner

June 5, 2016

(via e-mail)

Lawrence J. Grogan, Township Manager
MONTGOMERY TOWNSHIP
1001 Stump Road
Montgomeryville, PA 18936

Re: Subdivision and Land Development Application
510 Bethlehem Pike
Township File #LD/S 688


Dear Mr. Grogan:

I am in receipt of a subdivision/land development application dated April 22, 2016 for the subdivision of an existing lot into 3 building lots at 510 Bethlehem Pike. Plans submitted with the application were prepared by Holmes Cunningham Engineering and are dated April 22, 2016, with no revisions noted. The property is zoned R-2 Residential, is 2.11 acres in area and has no public road frontage. Access is provided by a private easement from Lenape Drive. My comments follow:

1. Per the Montgomery Township Zoning Ordinance, the access easement from Lenape Drive meets the definition of *Street*. The definition of *Lot Area* in the Zoning Ordinance does not allow area within a street line to be counted toward lot area. Therefore, the area shown for each of the lots needs to be adjusted.
2. Front yard setbacks must be taken from the street line. This also applies to the turnaround area shown on lot #3. The building envelope will need to be redrawn.
3. The turnaround area on lot #3 should be evaluated by the Fire Marshal to determine adequacy of the design as shown.

Please let me know if there are any questions.

Very truly yours,


Kenneth Amey

1122 Old Bethlehem Pike
Lower Gwynedd, PA 19002



phone: 215.283.9619
fax: 215.646.3458
kenamey@aol.com

cc: Bruce S. Shoupe, Township Director of Planning and Zoning
Marita Stoerrle, Development Coordinator
Marianne McConnell, Deputy Zoning Officer
James P. Dougherty, PE, Township Engineer
Frank Bartle, Esq., Township Solicitor
Kevin Johnson, PE, Township Traffic Engineer
Judith Stern Goldstein, ASLA, Township Landscape Architect
Kristin Holmes, PE, Holmes Cunningham Engineering

**MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY**


SUBJECT: Consider Awarding of Phase VII Bid for Ash Tree Forestry Management Program Areas 1-9

MEETING DATE: September 9, 2019

ITEM NUMBER: **#10.**

MEETING/AGENDA: WORK SESSION ACTION:

REASON FOR CONSIDERATION: Operational: Policy: Discussion: Xx Information:

INITIATED BY: Bruce Shoupe  BOARD LIAISON: Michael J. Fox, Township Supervisor
Director of Planning and Zoning Liaison to Shade Tree Commission

BACKGROUND:

The Ash Tree Forestry Management Program Phase VII went out to bid as previously authorized by the Board of Supervisors. A pre-bid meeting was held on August 21, 2019 and the bids received were opened on August 28, 2019 after the 10am deadline. Five bids were submitted to the Township for review. The bids received ranged in price from \$30,000 to \$47,680. See attached spreadsheet. Jimmy's Tree & Landscaping submitted the lowest responsible bid for this phase of the project. Jimmy's Tree & Landscaping completed the work for Phase V of this program with favorable results.

The work under this contract includes the furnishing of all labor, materials and equipment necessary and incidental for the felling of 250 +/- trees to within 12 inches or less of the ground level. Additional requirements and procedures are outlined within the bid documents.

PREVIOUS BOARD ACTION:

The Board of Supervisors authorized the Township Manager to obtain bids for the Ash Tree Forestry Management Program Phase VII Areas 1-9 during the August 12, 2019 meeting.

ALTERNATIVES/OPTIONS: None

BUDGET IMPACT: \$30,000

RECOMMENDATION:

It is recommended that the Board of Supervisors authorize the Township Manager to award the bid for the Ash Tree Forestry Management Program Phase VII Areas 1-9 as submitted by Jimmy's Tree & Landscaping in the amount of \$30,000.

MOTION/RESOLUTION:

BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the Township Manager to award the bid for the Ash Tree Forestry Management Program Phase VII Areas 1-9 as submitted by Jimmy's Tree & Landscaping in the amount of \$30,000.

MOTION _____ SECOND _____ VOTE:

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank Bartle, Esq.

August 28, 2019

[illegible]

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Approval of Cost Sharing Agreement – North Penn School District

MEETING DATE: September 9, 2019

ITEM NUMBER: # 11.

MEETING/AGENDA:

ACTION

NONE

REASON FOR CONSIDERATION: Operational: xx Policy: Discussion: Information:

INITIATED BY: Lawrence J. Grogan
Township Manager

BOARD LIAISON: Michael J. Fox, -Chairman
Board of Supervisors

BACKGROUND:

As part of the Phase 6 and Phase 7 Ash Tree Forestry Management Program contracts, the Township offered the School District the opportunity to participate in its bid/contract for tree removal services for cutting down trees on the Montgomery Elementary School property. In both Phases a total of 250 trees were identified on the District's property as needing to be cut down for public safety purposes.

The attached agreement provided for the Township to contract for the cutting down of the trees and for the District to pay its share of the costs for the trees identified for removal on the school property on a per tree basis. The agreement allows the District to save on the cost of bidding and contracting to have this work done.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None.

PREVIOUS BOARD ACTION: None.

ALTERNATIVES/OPTIONS: None.

BUDGET IMPACT: None. The District will be responsible for their own costs on a per tree basis.

RECOMMENDATION: Staff recommends that the Board authorize execution of this agreement

MOTION/RESOLUTION: BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we hereby authorize the execution of the Cost-Sharing Agreement between North Penn School District and Montgomery Township for Phase VI and Phase VII Ash Tree Forestry Management Program:

MOTION: _____

SECOND: _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

**COST-SHARING AGREEMENT BETWEEN
NORTH PENN SCHOOL DISTRICT AND MONTGOMERY
TOWNSHIP FOR PHASE VI AND PHASE VII ASH TREE
FORESTRY MANAGEMENT PROGRAM**

THIS AGREEMENT is made this _____ day of _____, 2019 between North Penn School District ("District") and Montgomery Township ("Township").

BACKGROUND

1. The District and the Township are proposing to perform certain work to remove ash trees under the Township's Phase VI and Phase VII Ash Tree Forestry Management Program ("Project") on District and Township properties.
2. The Township has agreed to bid and award the entire scope of the Project.
3. The Project's scope of work, associated cost-estimates, and the parties' respective portions of the Project, are set forth in detail in the Opinion of Probable Cost, attached as Exhibit A.
4. The Township shall be responsible for constructing and paying for all the Project's improvements with the District reimbursing the Township for its share of the Project's construction costs, as set forth and described in Exhibit A.
5. The District and the Township desire to set forth in writing their understandings relating to the bidding, performance and payment for the Project.

TERMS

In consideration for the mutual promises contained herein, and intending to be legally bound hereby, the parties agree to the following terms:

1. The Township agrees to prepare and pay for all Project-related plans and specifications, as well as obtain all Project-related permits.

2. The Township agrees to advertise for bids for the acquisition of all materials and performance of all construction and services to complete the Project.
3. The Township will present the bid tabulations of the Project's construction costs and the lowest responsible bidder to the District for timely review and approval. The District understands, acknowledges, and agrees that the ultimate determination of the lowest responsible bid lies with the Township. In the event the District does not approve the lowest responsible bidder, as determined by the Township, this Agreement shall terminate and neither party shall thereafter have any further obligation to the other. Nothing in this Agreement shall bind either party to accept a contract bid until the bid is accepted by formal action of such party. In the event that the District is in agreement with the lowest responsible bidder, the Township and the District agree that this Agreement shall remain in full force and effect and shall control administration of the Project.
4. The parties agree that the official contracts with the contractor determined to be the Project's lowest responsible bidder ("Contractor") shall be made by the Township but the District agrees to timely provide all necessary input with regard to its portion of the Project.
5. The Township shall be responsible for constructing and paying for all of the Project's improvements with the District reimbursing the Township for its share of the Project's construction costs, as set forth and described in Exhibit A.
6. The Township shall be solely responsible for all Project-related fees and expenses, except that each party is responsible for its own engineering and legal fees, to the extent applicable.
7. The District agrees to pay the Township the total sum required for the completion of the District's portion of the Project, in accordance with paragraph 5 and as set forth and described in Exhibit A. Such sum shall be payable within 45-days from the dates on which invoices are submitted by the Township to the District for work performed by the Contractor. The District's payments shall be made at such times and at such amounts so that the Township is not required to "advance" funds on behalf of the District.
8. The Township agrees to advise the District promptly of any change orders which may be required for the Project. The Township must obtain the District's prior written consent and approval for any change orders that expand the scope of the District's portion of the Project.

9. Each party shall perform all inspection work related to and/or associated with the Project at their sole cost and expense.
10. The parties agree to provide continuous communication with each other concerning the progress of their portion of the Project and the parties agree to respond promptly to any requests for information submitted to them by the other party.
11. The parties agree to indemnify and hold each other harmless from any and all damages, claims, and causes of action relating to the Project, provided such damage, claim or cause of action was not caused by the other party. Notwithstanding the foregoing, neither the Township nor the District waive any of the protections of Pennsylvania's Political Subdivision Torts Claims Act. Nothing in this Agreement shall cause either party to be liable to any third party in an amount in excess of the maximum amount such party alone may be responsible for under the Pennsylvania Political Subdivision Torts Claims Act.
12. This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania and may only be modified by a written document executed by the signatories to this Agreement.
13. This Agreement represents the entire understanding of the parties with respect to the subject matter hereof. No modification or amendment of this Agreement shall be binding unless contained in a writing signed by the District and the Township.
14. This Agreement may be executed in any number of counterparts, each of which, when executed and delivered, shall be an original, but all such counterparts shall constitute one and the same instrument.
15. Each provision of this Agreement shall be considered severable. If for any reason any provision of this Agreement is determined to be illegal or invalid, such illegality or invalidity shall not impair the operation of or affect those portions of this Agreement that are valid and this Agreement shall be construed in all respects as if such invalid or illegal provision was omitted or modified.
16. A waiver of any breach or default by any party in the performance by that party of its obligation hereunder is not a waiver of any other breach or default in the performance by that party of the same or any other obligations of that party hereunder. Failure on the part of a party to complain of any act of any party or to declare any party in default hereunder, irrespective of how long that failure continues, does not

constitute a waiver by that person of its rights with respect to that default until the applicable statute of limitations period has run.

IN WITNESS WHEREOF, the parties set their hands and seals to this document the day and date set out in the introduction to this Agreement.

ATTEST:

DISTRICT:

Name:
Title:

Name:
Title:

ATTEST:

TOWNSHIP:
MONTGOMERY TOWNSHIP
BOARD OF SUPERVISORS

LAWRENCE J. GREGAN
Township Manager/ Secretary

MICHAEL J. FOX
Chairperson

EXHIBIT A
Opinion of Probable Cost

Exhibit "A"

Opinion of Probable Cost

Contract #	District	Township
Section 6	26 Trees @ \$91 = \$2,366.00	550 Trees @ \$91 = \$50,050.00
Section 7	70 Trees @ \$120 = \$8,400.00	180 Trees @ \$120 = \$21,600.00
Total	\$10,766.00	\$71,650.00

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Construction Escrow Release 6 - LDS 694 - Higher Rock Partners - Phase 2

MEETING DATE: September 9, 2019

ITEM NUMBER: **# 12.**

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Bruce Shoupe
Director of Planning and Zoning

BOARD LIAISON: Candyce Fluehr Chimera
Chairman

BACKGROUND:

Attached is a construction escrow release requested by Higher Rock Partners, LP for Phase 2, as recommended by the Township Engineer.

The original amount of the escrow for Phase 2 was \$4,849,153.36, held as a LOC with Fulton Bank. This is the sixth release for Phase 2 and is in the amount of \$279,415.00. The new balance would be \$2,238,695.26.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT: None

PREVIOUS BOARD ACTION: None

ALTERNATIVES/OPTIONS:

Approve or not approve the construction escrow release.

BUDGET IMPACT: None.

RECOMMENDATION:

That this construction escrow be released.

MOTION/RESOLUTION:

The Board of Supervisors hereby authorize a construction escrow release in the amount of \$279,415.00 for Phase 2, as recommended by the Township Engineer for the Higher Rock Partners, LP.

MOTION _____ SECOND _____ VOTE _____

ROLL CALL:

Tanya C. Bamford	Aye	Opposed	Abstain	Absent
Michael J. Fox	Aye	Opposed	Abstain	Absent
Jeffrey W. McDonnell	Aye	Opposed	Abstain	Absent
Matthew W. Quigg	Aye	Opposed	Abstain	Absent
Candyce Fluehr Chimera	Aye	Opposed	Abstain	Absent

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.



GILMORE & ASSOCIATES, INC.
ENGINEERING & CONSULTING SERVICES

September 3, 2019

File No. 2016-07014-01

Lawrence J. Gregan, Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

Reference: Higher Rock Partners, LP – Land Development (Phase 2) – LDS#694
Escrow Release 6

Dear Larry:

We have received and reviewed the Request for Escrow Release for the above-referenced project. This letter is to certify that the improvements attached to this letter in the amount of \$279,415.00 have been completed. Please find enclosed a copy of our escrow calculations and the application for release of funds for your use.

Please be advised that these improvements will be subject to a final inspection prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

We have recommended release of less than the requested quantities for the following items:

- 2.C.17. – ADA/PennDOT Compliant Ramp, Inc. DWS. Number of ramps requested exceed total number of ramps installed.
- 2.D.3. - Single LED, 30-inch exposed foundation, 20.5-foot mounting height. Two site lights are installed with an orientation differing from the approved plans.
- 2.D.4. - Double LED, 6-inch exposed foundation, 20.5-foot mounting height. Three site lights are installed with an orientation differing from the approved plans.
- 2.G.4. – Construction Stakeout. Stakeout for ramps, curb, and sidewalk remain.

Should you have any further questions or require any additional information, please do not hesitate to contact our office.

Sincerely,

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.

JPD/SW/sl

Enclosure: Release of Escrow Form (9/3/19), Summary of Improvement Escrow Account (9/3/19), TPD letter (8/30/19), & Developer's Request (8/23/19)

cc: Bruce S. Shoupe, Director of Planning and Zoning
Marianne McConnell, Deputy Zoning Officer – Montgomery Township
Mary Gambino, Project Coordinator - Montgomery Township
Frank R. Bartle, Esq., Solicitor – Dischell Bartle & Dooley, PC
Judith Stern Goldstein, ASLA, R.L.A. – Boucher & James, Inc.
Kevin Johnson, P.E. – Traffic Planning & Design, Inc.
John Antonucci – Higher Rock Partners, LP
Jim Kahn, President – Higher Rock Partners, LP
James M. DeNave, P.E., Director of Operations - PH&C, LLC
George Hartman, P.E. – Bohler Engineering
Russell S. Dunlevy, P.E., Senior Executive Vice President – Gilmore & Associates, Inc.
Brian Dusault, Construction Services Manager - Gilmore & Associates, Inc.

65 East Butler Avenue | Suite 100 | New Britain, PA 18901 | Phone: 215-345-4330 | Fax: 215-345-8606

RELEASE OF ESCROW FORM

James P. Dougherty, P.E.
Senior Project Manager
Gilmore & Associates, Inc.
65 East Butler Avenue, Suite 100
New Britain, PA 18901
215-345-4330

Date: 08/23/2019

Development: Higher Rock - Land Development - LDS-694

G&A Project #: 2016-07014-01

Release #: 6

Dear Mr. Dougherty:

This is an escrow release request in the amount of \$309,215.00. Enclosed is a copy of our escrow spreadsheet with the quantities noted.

ESCROW RELEASE REQUESTS ARE LIMITED TO ONE PER MONTH.

Mr. Lawrence Gegan
Township Manager
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936

Date: 08/27/2019

Dear Mr. Gegan:

We have reviewed the developer's request for an escrow release. We therefore, recommend that \$279,415.00 be released. These improvements will be subject to a final observation prior to dedication and again at the end of the maintenance period. Any deficiencies will be required to be corrected by the developer.

James P. Dougherty 9/3/19
James P. Dougherty, P.E., Senior Project Manager, Gilmore & Associates, Inc.

Resolution # _____

WHEREAS, a request for release of escrow was received from Higher Rock Partners, LP for Higher Rock - Land Development - LDS-694, in the amount of \$309,215.00, on the representation that work set forth in the Land Development Agreement to the extent has been completed and; WHEREAS, said request has been reviewed by the Township Engineer who recommends release of \$279,415.00; NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Montgomery Township that we do hereby authorize release of \$279,415.00; in accordance with the developer's request, and the officers of the Township are authorized to take the necessary action to obtain release of said sum.
BE IT FURTHER RESOLVED that Township records indicate that escrow has been deposited via Letter of Credit with Montgomery Township in total sum of \$4,849,153.36 pursuant to a signed Land Development Agreement and that \$2,331,043.10 has previously been released from escrow. Therefore, the action of the Board releasing said sum leaves a new balance of \$2,238,695.26 in escrow.

MOTION BY: _____

VOTE: _____

SECOND BY: _____

DATED: _____

RELEASED BY: _____

Department Director

**ESCROW RELEASE NO. 6**

DATE PREPARED: 3-Sep-2019

PROJECT NAME: Higher Rock - Land Development	TOTAL ENGINEERING/LEGAL (CASH ESCROW): \$ 40,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Higher Rock Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-694
ESCROW AGENT: Fulton Bank		G&A PROJECT NO.: 2016-07014-01
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 661,248.19	AGREEMENT DATE:

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS			BALANCE
		CURRENT	PRIOR	TOTAL	
CONSTRUCTION	\$ 4,406,321.24	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10	\$1,797,863.14
CONTINGENCY (10%)	\$ 440,832.12	\$ -	\$ -	\$ -	\$ 440,832.12
TOTAL	\$ 4,849,153.36	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10	\$2,238,695.26

CONSTRUCTION ITEMS		UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
						QTY	COST	QTY	COST	QTY	COST	QTY	COST
PHASE 2 - LAND DEVELOPMENT													
2.A. SOIL EROSION AND SEDIMENT CONTROL													
Stage 2													
1. Inlet Protection	EA	50	\$	255.00	\$ 12,750.00	\$	-	48.00	\$ 12,240.00	48.00	\$ 12,240.00	2.00	\$ 510.00
2. 18" Filter Sock	LF	540	\$	5.75	\$ 3,105.00	\$	-	540.00	\$ 3,105.00	540.00	\$ 3,105.00	\$	-
3. 24" Filter Sock	LF	200	\$	9.25	\$ 1,850.00	\$	-	200.00	\$ 1,850.00	200.00	\$ 1,850.00	\$	-
4. NAG GC-150	SF	19,600	\$	0.24	\$ 4,704.00	4,500.00	\$ 1,080.00	14,700.00	\$ 3,528.00	19,200.00	\$ 4,608.00	400.00	\$ 96.00
5. Remove E&S Measures	LS	1	\$	8,500.00	\$ 8,500.00	\$	-	0.15	\$ 1,275.00	0.15	\$ 1,275.00	0.85	\$ 7,225.00
2.B. STORMWATER													
1. 4 in. PVC	LF	672	\$	25.00	\$ 16,800.00	\$	-	500.00	\$ 12,500.00	500.00	\$ 12,500.00	172.00	\$ 4,300.00
2. 6 in. PVC	LF	300	\$	28.00	\$ 8,400.00	\$	-	250.00	\$ 7,000.00	250.00	\$ 7,000.00	50.00	\$ 1,400.00
3. 15 in. HDPE	LF	2,048	\$	38.00	\$ 112,024.00	\$	-	2,766.00	\$ 105,108.00	2,766.00	\$ 105,108.00	182.00	\$ 6,916.00
4. 16 in. HDPE	LF	316	\$	43.00	\$ 13,588.00	\$	-	304.00	\$ 13,072.00	304.00	\$ 13,072.00	12.00	\$ 516.00
5. 24 in. HDPE	LF	1,322	\$	49.00	\$ 64,778.00	\$	-	1,322.00	\$ 64,778.00	1,322.00	\$ 64,778.00	\$	-
6. Inlet	EA	50	\$	2,550.00	\$ 127,500.00	\$	-	48.00	\$ 122,400.00	48.00	\$ 122,400.00	2.00	\$ 5,100.00
7. Yard Drain	EA	3	\$	1,595.00	\$ 4,785.00	\$	-	\$	-	\$	-	3.00	\$ 4,785.00
8. 15 in. DW Endwall	EA	1	\$	1,350.00	\$ 1,350.00	\$	-	1.00	\$ 1,350.00	1.00	\$ 1,350.00	\$	-
9. 24 in. DW Endwall	EA	1	\$	1,800.00	\$ 1,800.00	\$	-	1.00	\$ 1,800.00	1.00	\$ 1,800.00	\$	-
10. Manhole	EA	32	\$	2,665.00	\$ 85,280.00	4.00	\$ 10,660.00	25.00	\$ 66,625.00	29.00	\$ 77,285.00	3.00	\$ 7,995.00
11. StormTech Basin UGB1	13209 CY	LS	1	\$ 103,000.00	\$ 103,000.00	\$	-	\$	-	\$	-	1.00	\$ 103,000.00
12. StormTech Basin UGB2A	16483 CY	LS	1	\$ 105,300.00	\$ 105,300.00	\$	-	1.00	\$ 105,300.00	1.00	\$ 105,300.00	\$	-
13. StormTech Basin UGB2B	6342 CY	LS	1	\$ 40,500.00	\$ 40,500.00	\$	-	1.00	\$ 40,500.00	1.00	\$ 40,500.00	\$	-
14. StormTech Basin UGB2C	10369 CY	LS	1	\$ 66,200.00	\$ 66,200.00	\$	-	1.00	\$ 66,200.00	1.00	\$ 66,200.00	\$	-
15. StormTech Basin UGB3	15274 CY	LS	1	\$ 99,000.00	\$ 99,000.00	\$	-	1.00	\$ 99,000.00	1.00	\$ 99,000.00	\$	-
16. StormTech Basin UGB4A	14754 CY	LS	1	\$ 92,000.00	\$ 92,000.00	\$	-	1.00	\$ 92,000.00	1.00	\$ 92,000.00	\$	-
17. StormTech Basin UGB4B	16067 CY	LS	1	\$ 114,000.00	\$ 114,000.00	\$	-	1.00	\$ 114,000.00	1.00	\$ 114,000.00	\$	-
18. StormTech Basin UGB5	17125 CY	LS	1	\$ 111,000.00	\$ 111,000.00	\$	-	1.00	\$ 111,000.00	1.00	\$ 111,000.00	\$	-
19. Contact Unit	EA	3	\$	60,000.00	\$ 180,000.00	\$	-	2.00	\$ 120,000.00	2.00	\$ 120,000.00	1.00	\$ 60,000.00
20. Outlet Structure	EA	5	\$	5,400.00	\$ 27,000.00	\$	-	4.00	\$ 21,600.00	4.00	\$ 21,600.00	1.00	\$ 5,400.00
21. Rip Rap	EA	2	\$	775.00	\$ 1,550.00	\$	-	2.00	\$ 1,550.00	2.00	\$ 1,550.00	\$	-
22. Snout	EA	2	\$	250.00	\$ 500.00	\$	-	2.00	\$ 500.00	2.00	\$ 500.00	\$	-
23. Fabco Inlet Filters	EA	15	\$	900.00	\$ 13,500.00	\$	-	\$	-	\$	-	15.00	\$ 13,500.00
2.C. SITE IMPROVEMENTS													
1. Concrete Curb, inc. curb line sealing	LF	10,154	\$	17.00	\$ 172,618.00	1,125.00	\$ 19,125.00	6,881.00	\$ 116,977.00	8,006.00	\$ 136,102.00	2,148.00	\$ 36,516.00
2. Std. Paving 1.5 in. 9.5mm Wearing Course	SY	15,000	\$	7.00	\$ 105,000.00	\$	-	\$	-	\$	-	15,000.00	\$ 105,000.00
3. Std. Paving 2.5 in. 25mm Binder Course	SY	15,000	\$	9.00	\$ 135,000.00	2,000.00	\$ 18,000.00	9,500.00	\$ 85,500.00	11,500.00	\$ 103,500.00	3,500.00	\$ 31,500.00
4. Std. Paving 8 in. 2A Stone	SY	15,000	\$	8.00	\$ 120,000.00	11,500.00	\$ 92,000.00	\$	-	11,500.00	\$ 92,000.00	3,500.00	\$ 28,000.00
5. HD Paving 2.0 in. 9.5mm Wearing Course	SY	2,946	\$	8.50	\$ 25,041.00	\$	-	\$	-	\$	-	2,946.00	\$ 25,041.00
6. HD Paving 3.0 in. 25mm Binder Course	SY	2,946	\$	9.50	\$ 27,987.00	\$	-	2,946.00	\$ 27,987.00	2,946.00	\$ 27,987.00	\$	-
7. HD Paving 10 in. 2A Stone	SY	2,946	\$	10.00	\$ 29,460.00	\$	-	2,946.00	\$ 29,460.00	2,946.00	\$ 29,460.00	\$	-
8. Witchwood 1.5 in. 9.5mm Wearing Course	SY	5,000	\$	7.75	\$ 38,750.00	\$	-	\$	-	\$	-	5,000.00	\$ 38,750.00
9. Witchwood 2.5 in. 19mm Binder Course	SY	5,000	\$	17.50	\$ 87,500.00	\$	-	5,000.00	\$ 87,500.00	5,000.00	\$ 87,500.00	\$	-

**ESCROW RELEASE NO. 6**

DATE PREPARED: 3-Sep-2019

PROJECT NAME:	Higher Rock - Land Development	TOTAL ENGINEERING/LEGAL (CASH ESCROW):	\$ 40,000.00	MONTGOMERY TOWNSHIP
DEVELOPER:	Higher Rock Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW):	\$ 5,000.00	TOWNSHIP NO.: LDS-694
ESCROW AGENT:	Fulton Bank			G&A PROJECT NO.: 2016-07014-01
TYPE OF SECURITY:	Letter of Credit	MAINTENANCE BOND AMOUNT (15%):	\$ 661,248.19	AGREEMENT DATE:
SUMMARY OF IMPROVEMENT ESCROW ACCOUNT				
	TOTAL COST	RELEASE REQUESTS		BALANCE
		CURRENT	PRIOR	TOTAL
CONSTRUCTION	\$ 4,408,321.24	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10
CONTINGENCY (10%)	\$ 440,832.12	\$ -	\$ -	\$ -
TOTAL	\$ 4,849,153.36	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10

CONSTRUCTION ITEMS					CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
	UNIT	QUANTITY	UNIT COST	TOTAL COST	QTY	COST	QTY	COST	QTY	COST	QTY	COST
2.C. SITE IMPROVEMENTS (continued)												
10. Witchwood 7 in. 25mm Binder Course	SY	5,000	\$ 39.00	\$ 195,000.00		\$ -	5,000.00	\$ 195,000.00	5,000.00	\$ 195,000.00		\$ -
11. Witchwood 6 in. 2A Stone	SY	5,000	\$ 12.00	\$ 60,000.00		\$ -	5,000.00	\$ 60,000.00	5,000.00	\$ 60,000.00		\$ -
12. Wawa 2.0 in. 9.5mm Wearing Course	SY	6,100	\$ 8.50	\$ 51,850.00		\$ -		\$ -		\$ -	6,100.00	\$ 51,850.00
13. Wawa 4 in. 25mm BCBC	SY	6,100	\$ 10.00	\$ 61,000.00		\$ -		\$ -		\$ -	6,100.00	\$ 61,000.00
14. Wawa 8 in. 2A Stone	SY	6,100	\$ 8.00	\$ 48,800.00		\$ -		\$ -		\$ -	6,100.00	\$ 48,800.00
15. Heavy Duty Concrete (4,000 psi w/ fiber), inc. 6 inch 2A	SF	25,325	\$ 13.00	\$ 329,225.00		\$ -		\$ -		\$ -	25,325.00	\$ 329,225.00
16. Concrete Sidewalk (4,000 psi w/ fiber), inc. 4 inch 2A	SF	20,277	\$ 7.50	\$ 152,077.50	5,000.00	\$ 37,500.00	7,070.00	\$ 53,025.00	12,070.00	\$ 90,525.00	8,207.00	\$ 61,552.50
17. ADA/PennDOT Compliant Ramp, inc. DWS	EA	28	\$ 3,000.00	\$ 84,000.00		\$ -	14.00	\$ 42,000.00	14.00	\$ 42,000.00	14.00	\$ 42,000.00
18. Retaining Wall - Pump Station	SF	413	\$ 22.55	\$ 9,313.15		\$ -	413.00	\$ 9,313.15	413.00	\$ 9,313.15		\$ -
19. Retaining Wall - Wendy's	SF	2,948	\$ 22.55	\$ 66,477.40		\$ -	2,948.00	\$ 66,477.40	2,948.00	\$ 66,477.40		\$ -
20. Retaining Wall - Wawa	SF	3,051	\$ 22.55	\$ 68,800.05		\$ -	3,051.00	\$ 68,800.05	3,051.00	\$ 68,800.05		\$ -
21. Retaining Wall - North Retail	SF	2,412	\$ 22.55	\$ 54,390.60		\$ -	2,412.00	\$ 54,390.60	2,412.00	\$ 54,390.60		\$ -
22. Retaining Wall - Garden Center North	SF	692	\$ 22.55	\$ 15,604.60		\$ -	692.00	\$ 15,604.60	692.00	\$ 15,604.60		\$ -
23. Retaining Wall - Garden Center South	SF	596	\$ 22.55	\$ 13,439.80		\$ -	596.00	\$ 13,439.80	596.00	\$ 13,439.80		\$ -
24. Retaining Wall - Office Building	SF	3,304	\$ 22.55	\$ 74,505.20		\$ -	2,500.00	\$ 56,375.00	2,500.00	\$ 56,375.00	804.00	\$ 18,130.20
25. Sleeve-Its for Fence, 6 ft. on Center	LS	1	\$ 16,500.00	\$ 16,500.00	0.30	\$ 4,950.00	0.50	\$ 8,250.00	0.80	\$ 13,200.00	0.20	\$ 3,300.00
26. Sleeve-Its for Guiderail, Walls 1, 2, 3, & 6	LS	1	\$ 7,100.00	\$ 7,100.00		\$ -	1.00	\$ 7,100.00	1.00	\$ 7,100.00		\$ -
27. Traffic Control Signs Mounted on Poles	EA	36	\$ 250.00	\$ 9,000.00		\$ -		\$ -		\$ -	36.00	\$ 9,000.00
28. Concrete Bollards	EA	63	\$ 600.00	\$ 37,800.00		\$ -		\$ -		\$ -	63.00	\$ 37,800.00
2.D. LIGHTING												
1. Single LED, 6 inch exposed foundation, 20.5 ft. mounting hl.	EA	10	\$ 3,200.00	\$ 32,000.00		\$ -		\$ -		\$ -	10.00	\$ 32,000.00
2. Double LED, 6 inch exposed foundation, 20.5 ft. mounting hl.	EA	4	\$ 3,800.00	\$ 15,200.00		\$ -		\$ -		\$ -	4.00	\$ 15,200.00
3. Single LED, 30 inch exposed foundation, 20.5 ft. mounting hl.	EA	41	\$ 3,500.00	\$ 143,500.00	19.00	\$ 66,500.00	10.00	\$ 35,000.00	29.00	\$ 101,500.00	12.00	\$ 42,000.00
4. Double LED, 6 inch exposed foundation, 20.5 ft. mounting hl.	EA	19	\$ 4,100.00	\$ 77,900.00	6.00	\$ 24,600.00		\$ -	6.00	\$ 24,600.00	13.00	\$ 53,300.00
2.E. LANDSCAPING												
Shade Trees												
1. Acer rubrum 'Autumn Flame' (3" cal. min.)	EA	22	\$ 600.00	\$ 13,200.00		\$ -		\$ -		\$ -	22.00	\$ 13,200.00
2. Acer rubrum 'Red Sunset' (3" cal. min.)	EA	18	\$ 600.00	\$ 10,800.00		\$ -		\$ -		\$ -	18.00	\$ 10,800.00
3. Carpinus caroliniana (3" cal. min.)	EA	17	\$ 600.00	\$ 10,200.00		\$ -		\$ -		\$ -	17.00	\$ 10,200.00
4. Catalpa speciosa (3" cal. min.)	EA	15	\$ 600.00	\$ 9,000.00		\$ -		\$ -		\$ -	15.00	\$ 9,000.00
5. Ginkgo biloba (3" cal. min.)	EA	27	\$ 600.00	\$ 16,200.00		\$ -		\$ -		\$ -	27.00	\$ 16,200.00
6. Gleditsia triacanthos intermis 'Skycole' (3" cal. min.)	EA	15	\$ 600.00	\$ 9,000.00		\$ -		\$ -		\$ -	15.00	\$ 9,000.00
7. Liquidambar styraciflua 'Slender Silhouette' (3" cal. min.)	EA	12	\$ 600.00	\$ 7,200.00		\$ -		\$ -		\$ -	12.00	\$ 7,200.00
8. Liquidambar styraciflua 'Rolundiloba' (3" cal. min.)	EA	33	\$ 600.00	\$ 19,800.00		\$ -		\$ -		\$ -	33.00	\$ 19,800.00
9. Nyssa sylvatica (3" cal. min.)	EA	26	\$ 600.00	\$ 15,600.00		\$ -		\$ -		\$ -	26.00	\$ 15,600.00
10. Parrotia persica (3" cal. min.)	EA	28	\$ 600.00	\$ 16,800.00		\$ -		\$ -		\$ -	28.00	\$ 16,800.00
11. Platanus x acerifolia 'Bloodgood' (3" cal. min.)	EA	12	\$ 600.00	\$ 7,200.00		\$ -		\$ -		\$ -	12.00	\$ 7,200.00
12. Salix x elegantissima (3" cal. min.)	EA	3	\$ 600.00	\$ 1,800.00		\$ -		\$ -		\$ -	3.00	\$ 1,800.00
13. Stewartia pseudocamellia (3" cal. min.)	EA	11	\$ 600.00	\$ 6,600.00		\$ -		\$ -		\$ -	11.00	\$ 6,600.00
14. Zelkova serrata 'Village Green' (3" cal. min.)	EA	35	\$ 600.00	\$ 21,000.00		\$ -		\$ -		\$ -	35.00	\$ 21,000.00
Ornamental Trees												

**ESCROW RELEASE NO. 6**

DATE PREPARED: 3-Sep-2019

PROJECT NAME: Higher Rock - Land Development	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 40,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Higher Rock Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-694
ESCROW AGENT: Fulton Bank		G&A PROJECT NO.: 2016-07014-01
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 661,248.19	AGREEMENT DATE:

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS		TOTAL	BALANCE
		CURRENT	PRIOR		
CONSTRUCTION	\$ 4,408,321.24	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10	\$ 1,797,863.14
CONTINGENCY (10%)	\$ 440,832.12	\$ -	\$ -	\$ -	\$ 440,832.12
TOTAL	\$ 4,849,153.36	\$ 279,415.00	\$ 2,331,043.10	\$ 2,610,458.10	\$ 2,238,695.26

CONSTRUCTION ITEMS				UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (Incl. current release)		AVAILABLE FOR RELEASE (Incl. current release)	
								QTY	COST	QTY	COST	QTY	COST	QTY	COST
2.E. LANDSCAPING (continued)															
15.	Cercis canadensis (2-2 1/2 ft. cal. min.)	EA	15	\$	400.00	\$	6,000.00	\$	-	\$	-	\$	-	15.00	\$ 6,000.00
16.	Magnolia virginiana (3" cal. Min.)	EA	21	\$	400.00	\$	8,400.00	\$	-	\$	-	\$	-	21.00	\$ 8,400.00
Evergreen Trees															
17.	Picea abies (8 - 10 ft. ht.)	EA	12	\$	600.00	\$	7,200.00	\$	-	\$	-	\$	-	12.00	\$ 7,200.00
18.	Picea pungens 'glauca' (8 - 10 ft. ht.)	EA	9	\$	600.00	\$	5,400.00	\$	-	\$	-	\$	-	9.00	\$ 5,400.00
19.	Picea pungens (8 - 10 ft. ht.)	EA	7	\$	600.00	\$	4,200.00	\$	-	\$	-	\$	-	7.00	\$ 4,200.00
20.	Pinus strobus (8 - 10 ft. ht.)	EA	10	\$	600.00	\$	6,000.00	\$	-	\$	-	\$	-	10.00	\$ 6,000.00
Evergreen Shrubs															
21.	Ilex x meserveae 'Blue Boy' (30 - 36 in. ht.)	EA	7	\$	90.00	\$	630.00	\$	-	\$	-	\$	-	7.00	\$ 630.00
22.	Ilex crenata 'Compacts' (30 in. min.)	EA	64	\$	90.00	\$	5,760.00	\$	-	\$	-	\$	-	64.00	\$ 5,760.00
23.	Ilex x meserveae 'Blue Girl' (30 - 36 in. ht.)	EA	32	\$	90.00	\$	2,880.00	\$	-	\$	-	\$	-	32.00	\$ 2,880.00
24.	Ilex crenata 'Soft Touch' (30 - 36 in. ht.)	EA	26	\$	90.00	\$	2,340.00	\$	-	\$	-	\$	-	26.00	\$ 2,340.00
25.	Ilex glabra Compacta (30 in. min.)	EA	149	\$	90.00	\$	13,410.00	\$	-	\$	-	\$	-	149.00	\$ 13,410.00
26.	Juniperus chinensis 'Hetzli Columnaris' (4 - 5 ft. ht.)	EA	41	\$	105.00	\$	4,305.00	\$	-	\$	-	\$	-	41.00	\$ 4,305.00
27.	Rhododendron caroliniana x PJM (24 - 30 in. ht.)	EA	13	\$	90.00	\$	1,170.00	\$	-	\$	-	\$	-	13.00	\$ 1,170.00
28.	Thuja occidentalis 'Elegantissima' (5 - 6' ht.)	EA	14	\$	105.00	\$	1,470.00	\$	-	\$	-	\$	-	14.00	\$ 1,470.00
Deciduous Shrubs															
29.	Clethra alnifolia (30 in. min.)	EA	27	\$	90.00	\$	2,430.00	\$	-	\$	-	\$	-	27.00	\$ 2,430.00
30.	Cornus sericea (30 in. min.)	EA	27	\$	90.00	\$	2,430.00	\$	-	\$	-	\$	-	27.00	\$ 2,430.00
31.	Halesia carolina (4 - 5 ft. ht.)	EA	7	\$	105.00	\$	735.00	\$	-	\$	-	\$	-	7.00	\$ 735.00
32.	Hydrangea quercifolia 'Snow Queen' (30 in. min.)	EA	12	\$	90.00	\$	1,080.00	\$	-	\$	-	\$	-	12.00	\$ 1,080.00
33.	Ilex virginica 'Henry's Garnet' (30 in. min.)	EA	83	\$	90.00	\$	7,470.00	\$	-	\$	-	\$	-	83.00	\$ 7,470.00
34.	Ilex verticillata 'Jim Dandy Winterberry' (30 - 36 in. ht.)	EA	5	\$	90.00	\$	450.00	\$	-	\$	-	\$	-	5.00	\$ 450.00
35.	Ilex verticillata 'Winter Red' (30 - 36 in. ht.)	EA	12	\$	90.00	\$	1,080.00	\$	-	\$	-	\$	-	12.00	\$ 1,080.00
36.	Myrica pensylvanica (30 - 36 in. ht.)	EA	22	\$	90.00	\$	1,980.00	\$	-	\$	-	\$	-	22.00	\$ 1,980.00
37.	Physocarpus opulifolius 'Seward' (2 - 3 ft. ht.)	EA	14	\$	90.00	\$	1,260.00	\$	-	\$	-	\$	-	14.00	\$ 1,260.00
38.	Spiraea x bumalda 'Anthony Waterer' (30 in. min.)	EA	56	\$	90.00	\$	5,040.00	\$	-	\$	-	\$	-	56.00	\$ 5,040.00
39.	Spiraea japonica 'Goldmound' (30 in. min.)	EA	42	\$	90.00	\$	3,780.00	\$	-	\$	-	\$	-	42.00	\$ 3,780.00
40.	Viburnum dentatum (30 - 36 in. ht.)	EA	18	\$	90.00	\$	1,620.00	\$	-	\$	-	\$	-	18.00	\$ 1,620.00
41.	Viburnum dentatum 'Christom' (3 - 4 ft. ht.)	EA	22	\$	90.00	\$	1,980.00	\$	-	\$	-	\$	-	22.00	\$ 1,980.00
42.	Viburnum dentatum 'Synnesvedt' (3 - 4 ft. ht.)	EA	37	\$	90.00	\$	3,330.00	\$	-	\$	-	\$	-	37.00	\$ 3,330.00
43.	Weigela florida 'Bokraspiw' (30 in. min.)	EA	33	\$	90.00	\$	2,970.00	\$	-	\$	-	\$	-	33.00	\$ 2,970.00
Ground Cover															
44.	Rhus aromatica 'Gro-Low' (15 - 18 in. spd.)	EA	90	\$	35.00	\$	3,150.00	\$	-	\$	-	\$	-	90.00	\$ 3,150.00
Perennials															
45.	Liriope spicata (4 in. pot)	EA	250	\$	9.00	\$	2,250.00	\$	-	\$	-	\$	-	250.00	\$ 2,250.00
46.	Salvia nemerosa 'Blue Hill' (1 gal.)	EA	73	\$	9.00	\$	657.00	\$	-	\$	-	\$	-	73.00	\$ 657.00
Ornamental Grasses															
47.	Pennisetum alopecuroides 'Hameln' (1 gal.)	EA	74	\$	12.00	\$	888.00	\$	-	\$	-	\$	-	74.00	\$ 888.00
48.	Panicum virgatum 'Heavy Metal' (1 gal.)	EA	39	\$	12.00	\$	468.00	\$	-	\$	-	\$	-	39.00	\$ 468.00
Other															
49.	Mulch	SF	18,979	\$	0.50	\$	9,489.50	\$	-	\$	-	\$	-	18,979.00	\$ 9,489.50
50.	Permanent Vegetation	SF	166,193	\$	0.08	\$	13,295.44	\$	-	\$	-	\$	-	166,193.00	\$ 13,295.44



ESCROW RELEASE NO. 6
DATE PREPARED: 3-Sep-2019

PROJECT NAME: Higher Rock - Land Development	TOTAL ENG/INSP/LEGAL (CASH ESCROW): \$ 40,000.00	MONTGOMERY TOWNSHIP
DEVELOPER: Higher Rock Partners, LP	TOTAL ADMINISTRATION (CASH ESCROW): \$ 5,000.00	TOWNSHIP NO.: LDS-694
ESCROW AGENT: Fulton Bank		G&A PROJECT NO.: 2016-07014-01
TYPE OF SECURITY: Letter of Credit	MAINTENANCE BOND AMOUNT (15%): \$ 661,248.19	AGREEMENT DATE:

SUMMARY OF IMPROVEMENT ESCROW ACCOUNT	TOTAL COST	RELEASE REQUESTS		BALANCE
		CURRENT	PRIOR	
CONSTRUCTION	\$ 4,408,321.24	\$ 279,415.00	\$ 2,331,043.10	\$ 1,797,863.14
CONTINGENCY (10%)	\$ 440,832.12	\$ -	\$ -	\$ 440,832.12
TOTAL	\$ 4,849,153.36	\$ 279,415.00	\$ 2,331,043.10	\$ 2,238,695.26

CONSTRUCTION ITEMS	UNIT	QUANTITY	UNIT COST	TOTAL COST	CURRENT REQUEST		PRIOR REQUESTS		TOTAL REQUESTS (incl. current release)		AVAILABLE FOR RELEASE (incl. current release)	
					QTY	COST	QTY	COST	QTY	COST	QTY	COST
2.E. LANDSCAPING (continued)												
51. Sod	SF	27,655	\$ 1.00	\$ 27,655.00		\$ -		\$ -		\$ -	27,655.00	\$ 27,655.00
2.F. STUMP ROAD WIDENING & PAVING												
1. Grade Widening	SY	1,255	\$ 4.00	\$ 5,020.00		\$ -	1,255.00	\$ 5,020.00	1,255.00	\$ 5,020.00		\$ -
2. Traffic Control	LS	1	\$ 7,575.00	\$ 7,575.00		\$ -	1.00	\$ 7,575.00	1.00	\$ 7,575.00		\$ -
3. Striping	LS	1	\$ 15,600.00	\$ 15,600.00		\$ -		\$ -		\$ -	1.00	\$ 15,600.00
4. Stump Rd. 1.5 in. 9.5mm Wearing Course	SY	8,480	\$ 7.75	\$ 65,720.00		\$ -		\$ -		\$ -	8,480.00	\$ 65,720.00
5. Stump Rd. 2.5 in. 19mm Binder Course	SY	1,255	\$ 17.50	\$ 21,962.50		\$ -	1,255.00	\$ 21,962.50	1,255.00	\$ 21,962.50		\$ -
6. Stump Rd. 7 in. 25mm Binder Course	SY	1,255	\$ 39.00	\$ 48,945.00		\$ -	1,255.00	\$ 48,945.00	1,255.00	\$ 48,945.00		\$ -
7. Stump Rd. 6 in. 2A Stone	SY	1,255	\$ 12.00	\$ 15,060.00		\$ -	1,255.00	\$ 15,060.00	1,255.00	\$ 15,060.00		\$ -
8. Stump Rd. 1.5 in. Mill	SY	7,225	\$ 2.50	\$ 18,062.50		\$ -		\$ -		\$ -	7,225.00	\$ 18,062.50
2.G. MISCELLANEOUS												
1. Trash Enclosure	EA	6	\$ 2,000.00	\$ 12,000.00	1.00	\$ 2,000.00		\$ -	1.00	\$ 2,000.00	5.00	\$ 10,000.00
2. Regulatory/Warning Signs	EA	36	\$ 250.00	\$ 9,000.00		\$ -		\$ -		\$ -	36.00	\$ 9,000.00
3. Striping	LS	1	\$ 24,720.00	\$ 24,720.00		\$ -		\$ -		\$ -	1.00	\$ 24,720.00
4. Construction Stakeout	LS	1	\$ 20,000.00	\$ 20,000.00	0.15	\$ 3,000.00	0.60	\$ 12,000.00	0.75	\$ 15,000.00	0.25	\$ 5,000.00
5. As-Built Plans	LS	1	\$ 30,000.00	\$ 30,000.00		\$ -		\$ -		\$ -	1.00	\$ 30,000.00
2.H. CONTINGENCY												
1. 10% Contingency	LS	1	\$ 440,832.12	\$ 440,832.12		\$ -		\$ -		\$ -	1.00	\$ 440,832.12
(Released upon certification of completion and receipt of Maintenance Bond)												

NOTES:

1. These construction items include only the balance of work not included under the grading permit (i.e. Construction Sequence Phase 1, Items 1 through 9 (reference Sheet 39 of 81, last revised August 3, 2018))



TRAFFIC PLANNING AND DESIGN, INC.

WWW.TRAFFICPD.COM

August 30, 2019

Mr. Bruce S. Shoupe – Township Director of Planning and Zoning
Montgomery Township
1001 Stump Road
Montgomeryville, PA 18936-9605

RE: Higher Rock Partners, LP Lighting Observations for Escrow Release Request 7/6
Montgomery Township, Montgomery County, PA
TPD No. MOTO.00054

Dear Bruce:

In our role as Township Traffic/Street Lighting Engineer, Traffic Planning and Design, Inc. (TPD) was tasked with completing visual lighting observations of Higher Rock Partners, LP site lighting installations to-date. The visual observations were conducted on August 30, 2019 with TPD performing daytime observations. Based on TPD's visual observations, we offer the following comments:

All site lighting locations are based off plans for Higher Rock Partners, LP prepared by Bohler Engineering, Inc.; last revised October 8, 2018.

Escrow Research Results

Documentation provided to TPD for review identified the following:

- Identified thirty-seven (37) street lights were requested for release via 08/23/19 escrow request.

Street Light Observations

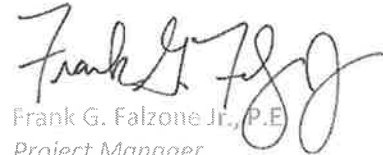
- Forty (40) site lights were inspected, while thirty-seven (37) were requested for release. All site lighting foundations were at least 30" above the adjacent pavement grade per Township Street Lighting Specification Section 1.4.b.
 - 28 Single LED site lights were requested for release
 - TPD observed 28 single LED site lights installed
 - 9 Double LED site lights were requested for release
 - TPD observed 12 double LED site lights installed
- Thirty (30) site lights were observed to comply with the approved plans.
- Ten (10) site lights were observed to not comply with the approved plans as follows. Each observation listed below has been identified on the plan attached with this letter.
 - Four (4) site lights installed with an orientation differing from the approved plans.
 - One (1) site light installed with an orientation differing from the approved plans and a foundation to be confirmed to be installed vertically straight.
 - Two (2) site light poles to be confirmed to be installed vertically straight.

- One (1) site light pole and foundation to be confirmed to be installed vertically straight.
- One (1) site light installed without a pole base cover.
- One (1) site light installed without a hand/hole cover.

We reserve the right to make additional comments as additional information is submitted. Please call if you have any questions.

Sincerely,

TRAFFIC PLANNING AND DESIGN, INC.



Frank G. Falzone Jr., P.E.

Project Manager

Ffalzone@TrafficPD.com

Encl. 2019-08-30 TPD Escrow07 Observations – Overall Lighting Plan.pdf

CC: Larry Gegan, Township Manager
 Mary Gambino, Township Project Coordinator
 Kevin Costello, Township Public Works Director
 Russ Dunlevy, P.E., Township Engineer
 John Antonucci, Applicant
 James Kahn, Applicant
 James DeNave, PE, PH&C, LLC
 George Hartman, PE, Bohler Engineering
 Kevin L. Johnson, P.E., TPD
 Jerry Baker, P.E., TPD
 Eric Hammond, TPD

MONTGOMERY TOWNSHIP BOARD OF SUPERVISORS
BOARD ACTION SUMMARY

SUBJECT: Consider Payment of Bills

MEETING DATE: September 9, 2019

ITEM NUMBER: #13.

MEETING/AGENDA: WORK SESSION ACTION XX NONE

REASON FOR CONSIDERATION: Operational: XX Information: Discussion: Policy:

INITIATED BY: Lawrence J. Gegan
Township Manager

BOARD LIAISON: Michael J. Fox,
Chairman of the Board of Supervisors

BACKGROUND:

Please find attached a list of bills for your review.

ZONING, SUBDIVISION OR LAND DEVELOPMENT IMPACT:

None.

PREVIOUS BOARD ACTION:

None.

ALTERNATIVES/OPTIONS:

None.

BUDGET IMPACT:

None.

RECOMMENDATION:

Approval all bills as presented.

MOTION/RESOLUTION:

None.

DISTRIBUTION: Board of Supervisors, Frank R. Bartle, Esq.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 01 UNIVEST CHECKING					
09/06/2019	01	31(S)	00001852	G.L. SAYRE, INC.	0.00
08/26/2019	01	76005	100001026	LARRY COMUNALE	3,750.00
08/26/2019	01	76006	100001027	RONALD WAGENMANN	3,750.00
08/29/2019	01	76007	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	924.00
08/29/2019	01	76008	00001498	GFOA - PA	50.00
08/29/2019	01	76009	00000903	HOME DEPOT CREDIT SERVICES	156.11
08/29/2019	01	76010	00000424	PA STATE ASSOC. OF BOROUGH	175.00
08/29/2019	01	76011	00001171	PHILA OCCEALTH/DBA WORKNET OCC	615.00
08/29/2019	01	76012	00001155	PITNEY BOWES	710.37
08/29/2019	01	76013	100000701	STAPLES BUSINESS CREDIT	407.94
09/05/2019	01	76014	00000006	ACME UNIFORMS FOR INDUSTRY	138.09
09/05/2019	01	76015	00000340	ADVENT SECURITY CORPORATION	114.00
09/05/2019	01	76016	100000814	AMAZON.COM SERVICES, INC	1,020.12
09/05/2019	01	76017	00000043	BERGEY'S	2,817.24
09/05/2019	01	76018	00905000	BS&A SOFTWARE	31,963.00
09/05/2019	01	76019	00001601	CDW GOVERNMENT, INC.	165.68
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09/05/2019	01	76021	00000335	COMCAST CORPORATION	1,433.18
09/05/2019	01	76022	100000129	EUROFINS QC, INC.	65.00
09/05/2019	01	76023	100000408	FSSOLUTIONS	57.60
09/05/2019	01	76024	00000595	PENN VALLEY CHEMICAL COMPANY	178.60
09/05/2019	01	76025	100000780	RHYTHM ENGINEERING	875.00
09/05/2019	01	76026	00000040	VERIZON	267.54
09/05/2019	01	76027	00000040	VERIZON	139.99
09/05/2019	01	76028	00000038	VERIZON WIRELESS SERVICES, LLC	1,667.80
09/06/2019	01	76029	MISC	2 POINTS OF VIEW ARCHITECTURAL	820.00
09/06/2019	01	76030	00000496	21ST CENTURY MEDIA NEWSPAPERS LLC	947.72
09/06/2019	01	76031	00000723	A TO Z PARTY RENTAL	22.05
09/06/2019	01	76032	00000006	ACME UNIFORMS FOR INDUSTRY	325.13
09/06/2019	01	76033	100000892	ADAM ZWISLEWSKI	100.00
09/06/2019	01	76034	100000494	AFUA DAVENPORT	20.00
09/06/2019	01	76035	100000051	ALAN FINEMAN	40.00
09/06/2019	01	76036	100000633	AMANDA BREEN	40.00
09/06/2019	01	76037	100000814	AMAZON.COM SERVICES, INC	1,240.59
09/06/2019	01	76038	100000488	AMY BRYCE	120.00
09/06/2019	01	76039	100000888	ANDREW WEINER	15.00
09/06/2019	01	76040	100001142	ANNITA SKOWRONSKI	150.00
09/06/2019	01	76041	100001115	ASAP	2,573.54
09/06/2019	01	76042	00000028	ASSOC. PENNSYLVANIA MUNICPAL MGMT.	65.00
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09/06/2019	01	76044	00001997	AUTOMATIC SYNC TECHNOLOGIES, LLC	221.26
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09/06/2019	01	76047	100001063	BRIAN ALLEN	30.00
09/06/2019	01	76048	100001125	BRIAN COOKE	60.00
09/06/2019	01	76049	100000765	BRIDGET DOMBROSKI	40.00
09/06/2019	01	76050	100000078	BRIDGET SCHALCOSKY	80.00
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09/06/2019	01	76055	100000878	CARL HERR	15.00
09/06/2019	01	76056	100001053	CARLEEN MICHALSKI	50.00
09/06/2019	01	76057	100001124	CARMEN CARROLL	25.00
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09/06/2019	01	76059	100000514	CASEY BYRNE	230.00
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09/06/2019	01	76061	100001052	CHARLIE'S LAWN CARE	145.00
09/06/2019	01	76062	100000206	CHERYL COCCA	160.00
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09/06/2019	01	76073	100001158	DEBRA DANCER	20.00
09/06/2019	01	76074	100000057	DIANE BUCKLAND	108.00
09/06/2019	01	76075	100000213	DOG TOWN	269.94
09/06/2019	01	76076	00905026	DON LEN INC.	154.00
09/06/2019	01	76077	100000893	DONALD TUCKER	30.00
09/06/2019	01	76078	100001143	DOUGLAS STIEBER	40.00
09/06/2019	01	76079	00000967	DVHT - DELAWARE VALLEY HEALTH TRUST	178,676.11
09/06/2019	01	76080	00000152	ECKERT SEAMANS CHERIN &	10,227.50
09/06/2019	01	76081	100000425	ELAAN RADLEY	120.00

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09/06/2019	01	76082	00902518	ELIZABETH KOSLOSKY	20.00	
09/06/2019	01	76083	00904231	ELIZABETH LAWLESS KREWSON	170.00	
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09/06/2019	01	76085	00903110	ESTABLISHED TRAFFIC CONTROL	82.50	
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09/06/2019	01	76089	00000817	GILMORE & ASSOCIATES, INC.	43,324.71	
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09/06/2019	01	76091	100000493	GINA KOCHANSKI	120.00	
09/06/2019	01	76092	00000198	GLASGOW, INC.	2,495.31	
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09/06/2019	01	76094	00001784	GOOGLE INC.	96.00	
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09/06/2019	01	76096	00902799	GRETCHEN SCHNEIDER	40.00	
09/06/2019	01	76097	100001156	H & K GROUP, INC.	65,468.00	
09/06/2019	01	76098	00000213	HAJOCA CORPORATION	21.21	
09/06/2019	01	76099	100001162	HATFIELD AQUATIC CENTER	6,062.00	
09/06/2019	01	76100	00000903	HOME DEPOT CREDIT SERVICES	184.82	
09/06/2019	01	76101	100001139	INTER COUNTY INVESTIGATIONS, INC.	2,800.00	
09/06/2019	01	76102	00000531	INTERSTATE GRAPHICS	220.00	
09/06/2019	01	76103	100000882	JACOB MILLEVOI	30.00	
09/06/2019	01	76104	100000889	JACOB WELTMAN	15.00	
09/06/2019	01	76105	100000421	JACQUELINE TENUTA	140.00	
09/06/2019	01	76106	100001146	JANET NEILL	80.00	
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09/06/2019	01	76108	100000720	JAYME MAITZ	600.00	
09/06/2019	01	76109	100000212	JEN FONASH	148.00	
09/06/2019	01	76110	100001122	JENNIFER BRATIS	40.00	
09/06/2019	01	76111	100000491	JENNIFER MAHON	80.00	
09/06/2019	01	76112	100001127	JIHUI GUO	140.00	
09/06/2019	01	76113	100001133	JINGHUA HE	40.00	
09/06/2019	01	76114	100000881	JOHN H. MOGENSEN	60.00	
09/06/2019	01	76115	100000887	JON WASHINGTON	150.00	
09/06/2019	01	76116	00000148	JONATHAN S. BEER	4,750.00	
09/06/2019	01	76117	100000490	JULIETTE MIKLOSH	130.00	
09/06/2019	01	76118	100001120	KATIE BARDI	20.00	
09/06/2019	01	76119	00000264	KENCO HYDRAULICS, INC.	677.63	
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09/06/2019	01	76121	100001159	KIMBERLY DEVENNEY	10.00	
09/06/2019	01	76122	100001145	KIMBERLY MCNAMARA	20.00	
09/06/2019	01	76123	100001151	KRISTA RUSSELL	40.00	
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09/06/2019	01	76130	100000768	LARRY KOLONGOWSKI	40.00	
09/06/2019	01	76131	100000077	LAURA BART	60.00	
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09/06/2019	01	76134	100001166	LUCY STAHL	40.00	
09/06/2019	01	76135	100001130	MARCIE DESANTIS	20.00	
09/06/2019	01	76136	100001131	MARIE KIM	195.00	
09/06/2019	01	76137	100001134	MARK KOSMACESKI	80.00	
09/06/2019	01	76138	100000207	MARY BISIGNARO	40.00	
09/06/2019	01	76139	100000883	MARY NEWELL	80.00	
09/06/2019	01	76140	100001149	MARY REDLINE	40.00	
09/06/2019	01	76141	00000201	MASTERTECH AUTO SERVICE, LLC	2,511.79	
09/06/2019	01	76142	100000877	MATTHEW GEORGIO	40.00	
09/06/2019	01	76143	100000788	MCDONALD'S	346.93	
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09/06/2019	01	76152	00902599	MICHELE EVANS	160.00	
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09/06/2019	01	76154	100000074	MICHELLE URBAN	140.00	
09/06/2019	01	76155	100001150	MIRIAM RIVINUS	10.00	
09/06/2019	01	76156	100000188	MJ EARL	253.05	
09/06/2019	01	76157	100001129	MONICA CHRZANOWSKI	20.00	
09/06/2019	01	76158	1264	MORGAN STANLEY SMITH BARNEY INC	141,976.17	
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09/06/2019	01	76160	100000171	NFPA	175.00	
09/06/2019	01	76161	100000496	NICOLE COHEN	20.00	
09/06/2019	01	76162	100001153	NICOLE SCHNEIDER	60.00	

Check Date	Bank	Check	Vendor	Vendor Name	Amount
09/06/2019	01	76163	00001134	OFFICE DEPOT, INC	213.77
09/06/2019	01	76164	MISC	OLIVER FIRE PROTECTION & SECUR	150.00
09/06/2019	01	76165	100001157	P.J.O.A.	170.00
09/06/2019	01	76166	100001128	PAMELA DAKNIS	60.00
09/06/2019	01	76167	100000890	PAUL MOGENSEN	70.00
09/06/2019	01	76168	100001137	PAULA MCKAY	20.00
09/06/2019	01	76169	100001160	PEGGY ANN DONACHIE	10.00
09/06/2019	01	76170	00000595	PENN VALLEY CHEMICAL COMPANY	701.29
09/06/2019	01	76171	00001358	PENNSYLVANIA RECREATION AND PARK	9,925.00
09/06/2019	01	76172	100000754	PETROLEUM TRADERS CORP.	2,920.95
09/06/2019	01	76173	100000755	PETROLEUM TRADERS CORP.	1,553.29
09/06/2019	01	76174	00000009	PETTY CASH	291.18
09/06/2019	01	76175	00000447	PETTY CASH - POLICE	191.41
09/06/2019	01	76176	00000446	PHISCON ENTERPRISES, INC.	100.00
09/06/2019	01	76177	00000415	PLASTERER EQUIPMENT CO., INC.&	50.23
09/06/2019	01	76178	00000345	PRINTWORKS & COMPANY, INC.	638.92
09/06/2019	01	76179	100001010	RACHEL GIBSON	30.00
09/06/2019	01	76180	100000886	RACHEL TROUTMAN	30.00
09/06/2019	01	76181	00000436	RAY ALLEN MANUFACTURING CO INC	312.97
09/06/2019	01	76182	100001132	RENUKA JAMALPUR	30.00
09/06/2019	01	76183	00002033	REPUBLIC SERVICES NO. 320	2,517.93
09/06/2019	01	76184	100001165	RUPALI RAJPATHAK	20.00
09/06/2019	01	76185	100000873	RYAN ALLISON	15.00
09/06/2019	01	76186	100000884	RYAN RUDELL	30.00
09/06/2019	01	76187	MISC	SAL'S NURSERY & LANDSCAPING INC	90.00
09/06/2019	01	76188	100001152	SAMANTHA SAMTMANN	40.00
09/06/2019	01	76189	100001070	SANDS FORD OF RED HILL	143.57
09/06/2019	01	76190	03214573	SAR AUTOMOTIVE EQUIPMENT	350.00
09/06/2019	01	76191	100001164	SARAH PEREIRA	20.00
09/06/2019	01	76192	00000653	SCATTON'S HEATING & COOLING, INC.	279.89
09/06/2019	01	76193	00001618	SEALMASTER	504.00
09/06/2019	01	76194	100000874	SEAN ALLISON	90.00
09/06/2019	01	76195	100001144	SHANNON STAHLER	120.00
09/06/2019	01	76196	100001118	SHARI FITZPATRICK	20.00
09/06/2019	01	76197	00000833	SHERWIN WILLIAMS COMPANY	74.79
09/06/2019	01	76198	00001030	SIGNAL CONTROL PRODUCTS, INC.	750.00
09/06/2019	01	76199	100001113	SIMPLEX WELLNESS	6,410.21
09/06/2019	01	76200	100001126	SONALI GUPTA	80.00
09/06/2019	01	76201	100000093	SONIA MARQUES	220.00
09/06/2019	01	76202	100000190	STEPHEN SMYTH	20.00
09/06/2019	01	76203	100000203	SUE DREVERS	80.00
09/06/2019	01	76204	00000485	SYRENA COLLISION CENTER, INC.	194.00
09/06/2019	01	76205	100001119	TAMMY FERRO	20.00
09/06/2019	01	76206	100001058	TARA BOYD	160.00
09/06/2019	01	76207	00001860	TAYLOR JONES	737.08
09/06/2019	01	76208	MISC	TERESE LENTINI	20.93
09/06/2019	01	76209	MISC	TESLA ENERGY OPERATIONS INC	4.50
09/06/2019	01	76210	00000494	THE INTELLIGENCER	514.60
09/06/2019	01	76211	00002036	TIMBERLINK CONSULTING LLC	1,800.00
09/06/2019	01	76212	100001121	TINA BITTNER	100.00
09/06/2019	01	76213	100000897	TREVOR DALTON	15.00
09/06/2019	01	76214	00000025	USPCA REGION 6	50.00
09/06/2019	01	76215	00000040	VERIZON	187.39
09/06/2019	01	76216	00000040	VERIZON	264.67
09/06/2019	01	76217	00000040	VERIZON	144.99
09/06/2019	01	76218	00000040	VERIZON	265.92
09/06/2019	01	76219	100000854	VINAY SETTY	90.00
09/06/2019	01	76220	100000891	VINCENT ZIRPOLI	90.00
09/06/2019	01	76221	100000801	WATCH GUARD	2,058.00
09/06/2019	01	76222	00001329	WELDON AUTO PARTS	121.46
09/06/2019	01	76223	100001138	WILLIAM E. ADAMS	32.16
09/06/2019	01	76224	100001013	WILLIAM F. WIEGMAN III	90.00
09/06/2019	01	76225	00000537	WILLIAM R. PEOPLES	1,828.17
09/06/2019	01	76226	00001084	WITMER ASSOCIATES, INC.	151.03
09/06/2019	01	76227	100001136	XIAODONG LI	280.00
09/06/2019	01	76228	100000500	YARMEKA JOHNSON	40.00
09/06/2019	01	76229	100001141	YOLONDA UDVARDY	80.00
09/06/2019	01	76230	100001042	ZACHARY EIDEN	45.00
09/06/2019	01	76231	100001169	HCR MANORCARE PROPERTIES, LLC	8,182.66

01 TOTALS:

(1 Check Voided)

Total of 227 Disbursements:

583,786.16

Check List
For Check Dates 08/27/2019 - 09/09/2019

Check Date	Vendor Name	Description	Amount
08/28/19	State of PA	State Tax Payment	9,683.55
09/03/19	US Treasury	945 Payment	7,448.21
09/03/19	ICMA	DROP Plan Payment	5,536.68
09/05/19	BCG 401	401 Payment	16,275.12
09/05/19	BCG 457	457 Payment	11,756.78
09/05/19	PBA	PBA Payment	1,250.00
09/05/19	PA SCDU	Withholding Payment	509.76
09/05/19	US Treasury	941 Payment	96,504.88
Total Checks: 8			\$ 148,964.98